

**WEST HANTS REGIONAL MUNICIPALITY**

**Council Meeting Agenda**

**Tuesday, September 28, 2021 - 6:00 p.m.**

**Sanford Council Chambers 76 Morison Dr, Windsor, NS**

**(also held via virtual via Zoom and Facebook livestreamed)**

*Agenda is subject to changes up to and including during the meeting*



**West Hants**

something inspiring awaits

- 
1. Call to Order
  2. Attendance
  3. Announcements
  4. Approval of the Agenda, including additions or deletions
    - (a) Dashboard Action Items
  5. Declaration(s) of Conflict of Interest
  6. Approval of Previous Meeting Minutes
    - (a) 2021-07-27 Council Meeting Minutes
    - (b) 2021-08-10 Special Council Meeting Minutes
    - (c) 2021-07-27 Public Hearing Minutes – 20 Empire Lane, PID# 45055746 D.A (opening)
    - (d) 2021-07-27 Public Hearing Minutes – 233 Gray St, PID# 45354065 D.A (opening)
    - (e) 2021-07-27 Public Hearing Minutes – Hantsport, Windsor, and West Hants Secondary Suites, MPS & LUB (closing)
    - (f) 2021-07-27 Public Hearing Minutes – Mobile Canteen Vending By-law (opening & closing)
    - (g) 2021-07-27 Public Hearing Minutes – 101 Three Mile Plains Cross Rd, PID# 45197456 D.A (opening)
  7. Public Hearings
    - (a) 101 Three Mile Plains Cross Rd, PID# 45197456 Dev Agreement (closing)
    - (b) 20 Empire Lane, PID# 45055746 Dev Agreement (closing)
    - (c) 233 Grey & abutting lot, PID# 45354965 Dev Agreement (closing)
    - (d) Payzant Dr PID #s 45358314, 45366986, 45055167, 45276441, 45190493, and 45364775 Windsor Land Use By-law Amendment: Reduced lot specification requirements (opening)
  8. Second Readings (related to Item #7 public hearings)
    - (a) 101 Three Mile Plains Cross Rd, PID# 45197456 Dev Agreement – Recommendation Report
    - (b) 20 Empire Lane, PID# 45055746 Dev Agreement – Recommendation Report
    - (c) 233 Grey & abutting lot, PID# 45354065 Dev Agreement - Recommendation Report
  9. Unfinished Business/Postponed Motions
    - (a) Former Textile Mill Dangerous or Unsightly updates (standing item)
  10. Mayor's Report
  11. Committee(s) of Council Excerpts/Recommendations

(a) Committee of the Whole Excerpts (Sept. 14, 2021)

- i. Advocacy for Active Transit – Bog Road
- ii. Brooklyn Civic Centre Expense Write-off
- iii. MFC Fall 2021 Debenture
- iv. Mobile Canteen By-law re. amending
- v. NSFM Caucus
- vi. Outdoor Fires By-law
- vii. PCP Milestone 3 Local Action Plan
  - a) 2021-09-08 Action Plan Report to MCCAP (informational)
  - b) 2021-09-28 Supplementary Report re: EV Chargers
- viii. Temporary Opening of Edward and Underwood
- ix. Traffic Calming Measures
- x. WHRM Emergency Management Plan
- xi. Windsor Drainage Issues
- xii. Land Matter (following in-camera item 12(a))
- xiii. Land Matter (following in-camera item 12(b))
- xiv. Land Matter (following in-camera item 12(c))

(b) Planning/Heritage Advisory Committee Recommendations (Sept. 9, 2021)

- i. Hwy 14 Vaughan, PID# 45288750 WHLUB amendments - First Reading
- ii. Farm Markets in Fair Ground Zone – First Reading
- iii. Civic Address By-law amendment – First Reading
- iv. 744 Hwy. 236, Dimock House – Heritage permit application
- v. Processes for Planning – Information Report

12. Councillor Municipal Business/Activity Reports

13. Correspondence

(a) Information

- i. Avon River Causeway/Hwy. 101 Twinning Project Log
  - a. Current Avon Causeway/Hwy 101 Correspondence (rec'd as of Aug. 13, 2021)
- ii. Royal Canadian Legion Br. 9 (2021-09-16) – Thank you

(b) Requests – None

(c) Out-going (as it relates to motions of Council to other Provincial agencies/depts)

- i. Letter to the Honourable Llyod Hines, Department of Transportation and Active Transport.

14. New Business

(a) Capped Assessment Program (CAP) – Decision Request Report (Ivey)

(b) Flood Impact Photo – Decision Request Report (Ivey)

(c) Lake-like Appearance – Decision Request Report (Ivey)



- (d) Truth and Reconciliation Report – Decision Request Report (Ivey)
- (e) Rezoning Fort Edward PID 45059797 – CAO
- 15. In-Camera
  - (a) Land Matter 22 (2a)
- 16. Next Meeting Date / Adjournment

M - Motion  
D - Direction/Discussion

**West Hants Regional Municipality**  
**Dashboard (Action List)**  
September 14, 2021

Green - Complete  
Yellow - In-progress  
Red - Not started

<u>Matter</u>	<u>Meeting</u>	<u>M/D</u>	<u>Start Date</u>	<u>Deadline / Update</u>	<u>Status</u>	<u>Resp.</u>
<b>Land Matter</b>	COTW (IC)	D	2020-04-14			CAO
<b>Sewer Billing Review</b> - Staff explore what the sewer rates would be if sewer util. fees were put back on the taxes. <b>(Tabled until after budget) (Also at 2020-04-14 COTW mtg)</b>	COTW	M	2020-05-12			CAO/Fin
<b>Asset Mgmt (Strategic Sustainability)</b> - Strategic Sustainability Plan is needed	COTW	D	2020-05-12	On-going until approx. Oct. 2022		PW
<b>PID 45245578 and portions of 45182797, 45245560, 45245552, 45184025, and 45182904</b> (Cogmagun Lands) - purchase as per Letter of Offer presented at 2020-06-09 COTW in-camera	Council	M	2020-06-23			CAO
<b>James Salter (Funding Req)</b> - Resurrection of wooden statue. Staff to meet with Mr. Salter re proposed project cost(s) and meet with Hantsport Fire Dept. to discuss potential preservation options & report back.	Council	M	2020-09-22	2021-05 (Mr. Salter has advised this isn't immediate)		CAO
<b>Pedestrian Signage and Barriers</b> - Have consistent and align with Branding outcomes. Staff prepare report for 2021/22 Capital & Operating budgets. (These items should be incorporated into our growth centres). Staff report back.	Council	M	2020-09-22	Align with Branding outcomes 2021-07		PW/Comm. Dev
<b>Diversity &amp; Inclusion Committee (from Meeting &amp; Committee Procedural Policy Amendments)</b> - Advertise for Committee members and mobilize the committee	COTW	M	2020-10-13	2021-05 (also with Rad Consulting Engagement Sessions)		Comm Dev
<b>Burning Permit/Outdoor Fires</b> - Staff review existing Fire-related by-laws	COTW	D	2020-11-10	2022-04		CAO/Fire Chiefs
<b>In-Camera (b) - MGA 22(2)(a)</b> - Acquisition, sale, lease and security of Mun property - Land Sale - proceed with next steps/presentation	COTW	D	2021-11-10	2021-01		CAO

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<b>Panuke Rd Event</b> - Event to be arranged by Mayor	COTW	D	2021-03-09	2021-06		Mayor
<b>Noise By-law</b> - Staff revise by-law (Peace and Good Order)	Council	M	2021-03-23	2021-07		Planning/ CAO
<b>Cheverie Land Exchange</b> - Agree	Council	M	2021-03-23	2021-05		CAO/Com D
<b>Newport Station Food Hub Paving Driveway &amp; Lease</b> - Staff review if existing lease pertains to Newport Station Food Hub or previous owners. Establish new lease if need be	COTW	D	2021-05-11	2021-07		CAO
<b>Dog Park</b> - Staff review historical information related to dog park feasibility	COTW	D	2021-06-08	2021-08		Comm. Dev
<b>Regional Caucus</b> - Clr Murley to present information on possibilities	COTW	D	2021-06-08	2021-09-28		Murley
<b>Glooscap First Nation &amp; WHRM Council Meeting</b> - Send formal invite for a meeting to discuss many topics including reconciliation	Council	M	2021-06-22			Mayor
<b>Request to Meet with Avon Causeway Gate Stakeholders</b> - Send letter to Kwilmu'kw Maw-Klusuaqn (KMK) requesting immediate in-person meeting to discuss Avon River Causeway/Aboiteau Gate System and Ministerial Order	Council	M	2021-06-22	2021-08		CAO/Mayor
<b>Request to Meet with Avon Causeway Gate Stakeholders</b> - Send letter to Glooscap First Nation requesting immediate joint council mtg. to discuss Avon River Causeway/Aboiteau Gate System and Ministerial Order	Council	M	2021-06-22			Mayor/CAO
<b>Contracts &amp; Agreements Listing</b> - circulate list with financial figures via email to council (and also provide hard-copy)	COTW	D	2021-07-13	2021-08		CAO
<b>Traffic Calming Measures</b> - Staff identify and report back on potential solutions for problematic Municipally-owned roads	COTW	M	2021-07-13	2021-09		PW

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<b>Temporary opening of Edward &amp; Underwood -</b> Staff review possibility of temporarily opening as well as request timeline from developer.	COTW	M	2021-07-13	2021-09		CAO/PW
<b>Contract Negotiations (Item 13(a))-</b> CAO proceed pending review by legal counsel. (Intermun with Kings re. Hantsport Fire)	COTW	M	2021-07-13	2021-08		CAO
<b>Former Textile Mill - Dang/ Unsightly Report -</b> Awaiting Geo-thermal report & draft drawings. Request for official report and will present report to members of Council.	Council	D	2021-07-27	2021-09-14		CAO
<b>WHRM Strategic Plan -</b> Update for Council members the strategic plan laid out by council.	Council	D				CAO
<b>WHRM Emergency Measures Plan -</b> Reviewing the refresh of the Emergency Management By-Law as laid out in the attached policy.	COTW	D	2021-09-14	2021-10-12		REMO
<b>Active Transport - Dog Road -</b> Request for Decision - Letter to be written to request that the Hants County Area Manager conduct a site visit and a bicycling route assessment - as per policy: PO1072, Directives: 1.3 - to forward onto the active transportation coordinator who will provide a recommendation based on the assessment and compliance with other Department of Public Works Policies.	COTW	D	2021-09-14	2021-10-12		Comm. Dev.
<b>Brooklyn Civic Centre Expense Write - off -</b> Request for Decision - Sept 2020- March 2021 Fiscal year be funded through Safe or if unsuccessful through Operating Reserves.	COTW	D	2021-09-14	2021-10-12		McLean
<b>7043 Highway 215, Bramber Dang/Unsightly Report -</b> Update from Building Inspector	COTW	D	2021-09-14	2021-11		Planning

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<b>Windsor Drainage Issues</b> - Request for Decision - that staff report on the historical issues of water drainage during heavy rains in the Stannus/Grey Street areas and options to help prevent further issues.	COTW	D	2021-09-14	2021-10-12		Mayor/PW
<b>Mobile Canteens/Sidewalk Café Vending By-Law</b> - Request for Decision - A staff report on amending the mobile canteen by-law RV-001 to allow mobile canteens to operate on community properties.	COTW	D	2021-09-14	2021-11-		Mayor
<b>Parkland Divestment</b> - Information Report - Explore 19 areas of land that have limited potential for park usage.	COTW	D	2021-09-14	2021-09-14		Fin/CAO/CD
<b>PCP Milestone 3</b> - Request for Decision - Create a local action plan to reduce emissions to meet the goal established in Milestone 2.	COTW	R	2021-09-14	2021-10-28		Planning
<b>MFC Fall 2021 Debenture</b> - Request for Decision - a temporary borrowing solution to meet necessary lending requirements upon completion of the Sports Complex.	COTW	R	2021-09-14	2021-10-01		Finance



## WEST HANTS REGIONAL MUNICIPALITY REPORT

Information <input type="checkbox"/>	Recommendation <input type="checkbox"/>	Decision Request <input checked="" type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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**To:** Mayor Zebian and Members of West Hants Regional Municipality Council

**Submitted by:** \_\_\_\_\_  
Sara Poirier, Planner

**Date:** 2021-07-27

**Subject:** File # 21-02 D: Development Agreement: 101 Three Mile Plains Cross Rd., PID 45197456

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### LEGISLATIVE AUTHORITY

Section 230 of the Municipal Government Act.

### POSSIBLE MOTION

Should Council wish to approve the development agreement to permit an automotive repair shop at 101 Three Mile Plains Cross Road following completion of the Public Hearing, the following motion would be in order:

...that Council gives Second Reading to and approves entering into a development agreement to allow an automotive repair shop at 101 Three Mile Plains Cross Rd., Three Mile Plains (PID 45197456) which is substantively the same as the draft set out in Attachment C of the report to the Planning Advisory Committee dated June 10, 2021.

### BACKGROUND

An application was received from Mr. Geoff Lunn, with authorization from property owner Brian Lunn, to permit an automotive repair shop by development agreement at 101 Three Mile Plains Cross Road, Three Mile Plains.

A Public Information Meeting (PIM) was held virtually and broadcast live on the Municipal Facebook page on May 18, 2021 to consider the requested development agreement (Appendix A).

On June 10, 2021 staff presented a recommendation report to the Planning Advisory

Committee / Heritage Advisory Committee (PAC/HAC) (Appendix B). The PAC/HAC recommended in favour of the development agreement.

Council held first reading on June 22, 2021.

## NEXT STEPS



\*anticipated dates; final dates will be set by Council

## APPENDICIES

**Appendix A** 2021-05-18 Public Information Meeting Notes – File 21-02 A

**Appendix B** 2021-06-10 Staff Report – Development Agreement: 101 Three Mile Plains Cross Rd. PID 45197456; File 21-02 B

Report Prepared by: \_\_\_\_\_  
Sara Poirier, Planner

Report Reviewed by: \_\_\_\_\_  
Madelyn LeMay, Director of Planning and Development

Report Approved by:  \_\_\_\_\_  
Mark Phillips, CAO

**Appendix A**  
**Public Information Meeting Notes**  
**May 18, 2021 – June 1, 2021**  
**File 21-02 A**

**101 Three Mile Plains Cross Road, Three Mile Plains; PID 45197456**

<b>Meeting date and time</b>	A virtual Public Information Meeting was held on May 18, 2021 beginning at 6 p.m. The meeting was live broadcast on the Municipal Facebook page.
<b>Attending</b>	<p>In attendance:</p> <ul style="list-style-type: none"><li>• Mayor Zebian</li><li>• Councillor Francis (Chair)</li><li>• Planner Poirier</li><li>• Meeting Secretary Lake</li></ul> <p>As this meeting was held virtually there were no members of the public present.</p>
<b>Applicant name and site location (Civic address and PID)</b>	Planner Poirier outlined the request from Geoff Lunn to permit an automotive repair shop on the property at 101 Three Mile Plains Cross Road, Three Mile Plains (PID 45197456) by development agreement.
<b>Comments</b>	<p>Comments from the public could be submitted to Planner Poirier by mail, e-mail and telephone between May 18 and June 1, 2021.</p> <p>One verbal comment was received from Richard Dauphinee, a resident of Three Mile Plains, in favour of the application.</p>
<b>Adjournment</b>	The meeting was adjourned at 6:06 p.m.



## Appendix B



### WEST HANTS REGIONAL MUNICIPALITY REPORT

Information <input type="checkbox"/>	Recommendation <input checked="" type="checkbox"/>	Decision Request <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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**To:** Members of the Planning and Heritage Advisory Committee (PAC/HAC)

**Submitted by:** \_\_\_\_\_  
Sara Poirier, Planner

**Date:** 2021-06-10

**Subject:** Development Agreement: 101 Three Mile Plains Cross Rd. PID 45197456; File 21-02 B

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#### LEGISLATIVE AUTHORITY

Section 230 of the Municipal Government Act.

#### RECOMMENDATION

To allow the requested development, staff recommends that the Planning and Heritage Advisory Committee (PAC/HAC) forward a positive recommendation by passing the following motion:

...that PAC/HAC recommends that Council give First Reading and hold a Public Hearing to consider entering into a development agreement to allow an automotive repair shop at 101 Three Mile Plains Cross Rd., Three Mile Plains (PID 45197456) which is substantively the same as the draft set out in Attachment C of the report to the Planning Advisory Committee dated June 10, 2021.

#### BACKGROUND

An application was received on January 15, 2021 from Geoff Lunn, with authorization from property owner Brian Lunn, to permit an automotive repair shop at 101 Three Mile Plains Cross Rd., Three Mile Plains. All necessary material for the application was submitted on January 18, 2021.

#### DISCUSSION

The approximately 14,500 ft<sup>2</sup> lot is designated Residential on the Generalized Future Land Use Map of the West Hants Municipal Planning Strategy (WHMPS) (Figure 1) and is within the Three Mile Plains Growth Centre. Part 5.3 of the WHMPS contains the overall intention for properties designated Residential in the Three Mile Plains Growth Centre.

The lot is zoned Two-Unit Residential (R-2) on the Zoning Map of the West Hants Land Use By-law (WHLUB) (Figure 2). An automotive repair shop is not permitted as-of-right in the Two-Unit Residential (R-2) zone.

The subject lot directly abuts properties with a variety of different zoning including Two Unit Residential (R-2), Local Industrial (LI), Resource Industrial (M-1), and Multiple Residential (R-3) (Figure 2). These properties are all designated Residential within the Three Mile Plains Growth Centre (Figure 1).

### **Development Agreements**

A development agreement is a legal contract between an owner of land and the Municipality to allow Council to consider a use that is not a listed, permitted use within a zone on a specific lot. The ability for Council to consider a development agreement must be stated in the Land Use Bylaw (LUB) and the Municipal Planning Strategy (MPS) must identify the kinds of uses Council may consider in each area. Uses which Council may consider are those which Council has determined may have sufficient impact on an area that a negotiated process is required to ensure the potential impact is minimized. In the MPS Council usually identifies both specific and general criteria which must be considered when making decisions regarding a development agreement.

The draft development agreement can be found in Attachment C.

### **Proposed Development Agreement**

Section 6.1 of the WHLUB, *Development Agreements*, states that “*The following developments may be considered only by development agreement in accordance with the Municipal Government Act and the Municipal Planning Strategy:*

- (i) Resource Industrial (M-1) uses in the Growth Centres in accordance with Policy 5.7.2 of the Municipal Planning Strategy;*

Although there is no specific definition for a Resource Industrial (M-1) use, the best basis for determining what is considered a Resource Industrial (M-1) use is the list of permitted uses in the Resource Industrial (M-1) zone in the WHLUB. Any activity connected with the automobile trade other than an automobile scrap yard or automobile related commercial recreation establishment is a listed permitted use in the Resource Industrial (M-1) zone which would include an automotive repair shop.

Part 5 of the WHMPS contains the overall intention for Growth Centres in West Hants; Section 5.7 indicates the intention of Council to allow certain industrial development in the Growth Centres. Policy 5.7.2 establishes Council’s intention to “*consider new resource-related industrial uses in the Growth Centres by development agreement*”. The criteria for Policy 5.7.2 have been evaluated by staff in Attachment A.

### **Specific Requirements/Requests**

The applicant submitted a rough site plan indicating the size of the proposed building for the automotive repair shop and the intended location for the building. Policy 5.7.2 (g) requires adequate buffering or screening, setbacks and yards to minimize potential land use conflicts with adjacent properties. Two (2) of the properties adjacent to the subject lot to the north and south, 97 and 107 Three Mile Plains Cross Rd., and the subject lot at 101 Three Mile Plains Cross Rd., are all owned by Brian Lunn. Staff recommend not requiring buffering, screening, setbacks, or yards on the subject lot where they are adjacent to the properties owned by the same property owner, Brian Lunn. However, for the abutting property to the east that has different ownership a planting strip consisting of a continuous row of trees or hedge of evergreens or shrubs arranged in such a way to form a dense or opaque screen will be required on the subject lot with a minimum width of 5 ft (1.52 m). This is similar to the existing WHLUB requirements for commercial businesses that abut residential uses.

For the hours of operation, the applicant has stated they intend to operate the business full-time, during daytime hours. The development agreement permits the automotive repair shop to operate between the hours of 8:00 a.m. and 5:00 p.m. daily.

Staff discussed parking requirements with the applicant and determined that six (6) parking spaces for the automotive repair shop would be sufficient. In terms of signage, the number of signs permitted in the WHLUB is adequate for the applicant.

In terms of access to the property, there is an existing driveway shared between 97 and 101 Three Mile Plains Cross Rd. that the applicant intends to use for the automotive repair shop. The Department of Transportation and Active Transit (DTAT) found the existing access to be suitable for the proposed use and suggested an agreement be established to ensure the driveway could be used for the automotive repair shop, particularly if there is ever a change in ownership of 97 Three Mile Plains Cross Rd. This has been incorporated into Clause 2.3, *Access and Egress*, in the proposed development agreement. The owner of 101 Three Mile Plains Cross Road will need to provide proof to the Development Officer of an easement agreement with any new owner of 97 Three Mile Plains Cross Rd. to ensure access can be maintained or a new access can be created contingent on approval from DTAT. The applicant found this requirement suitable and intends to make it a requirement of sale if the abutting property is ever sold.

When the Director of Public Works was asked to comment on the adequacy of water and sewer services for policy 16.3.1 (a) (i) they stated oil and petroleum products would need to be stored appropriately and not disposed of in the Three Mile Plains sewer system. Staff spoke with the applicant about their intentions for these products. The applicant mentioned an on-site oil heater would use some oil products and that all other oil and petroleum products would be recycled following Nova Scotia requirements, *Solid Waste-Resource Management Regulations made under Section 102 of the Environment Act. Clause 2.7, Water and Sewer Services*, of the proposed development agreement addresses storage and disposal of oil and petroleum products ensuring the

property owner is responsible and that these substances do not enter the Three Mile Plains sewer system.

Policy 5.7.2 (h) requires that open storage be limited to the rear yard. The applicant has indicated that they do not intend to have any open storage and may apply for permits for accessory buildings such as a shed for storage at a later date. Clause 2.5, *Storage*, of the development agreement prohibits open storage and permits accessory buildings for the automotive repair shop in accordance with Section 5.1 of the WLUB.

### **WHMPS Specific Criteria**

Policy 5.7.2 of the WHMPS establishes Council's intention to consider new resource-related industrial uses in the Growth Centres by development agreement. The above policy establishes the criteria to be considered by Council, which are examined in detail in Attachment A.

In summary, the remaining criteria are met since:

- the use is permitted in the Resource Industrial (M-1) zone;
- the development will not adversely affect adjacent land uses as the hours of operation are regulated to daytime hours and the expected noise is minimal as it will be contained within a new building; and
- the development has frontage on a collector street.

### **WHMPS General Criteria**

Policy 16.3.1 of the WHMPS states general criteria for any development agreement considered in West Hants. These criteria are examined in detail in Attachment B. In summary:

- the proposal is not premature or inappropriate for the area;
- no municipal costs related to the proposal are anticipated; and
- the Fire Chief, Manager of Building and Fire Inspection Services, Director of Public Works and Department of Transportation and Active Transit have no major concerns that have not been addressed in the development agreement.

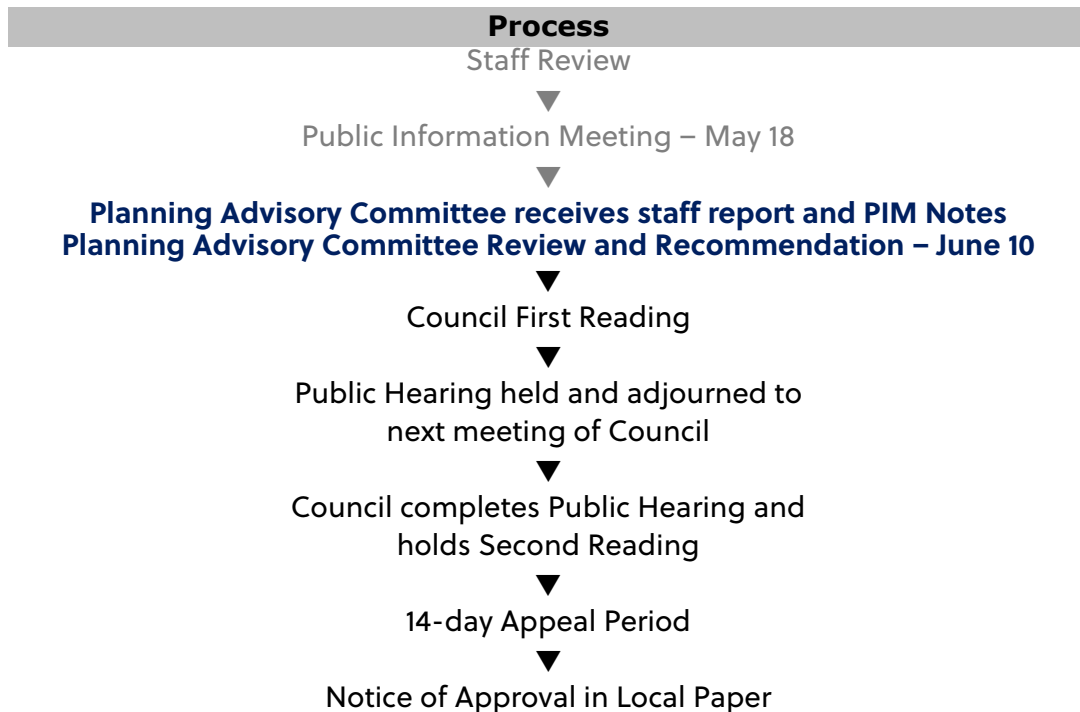
### **MCCAP**

The Municipal Climate Change Action Plan (MCCAP) Inland Flooding and Coastal Flooding maps do not show any risks of either inland or coastal flooding on the property. The Three Mile Plains Flood Risk Assessment Study does not identify the site as an area vulnerable to flooding.

### **NEXT STEPS**

As noted above, the proposed development agreement has been considered within the context of both the specific and general policies of the WHMPS and is consistent with the intent, objectives, and policies of the WHMPS. The amendment meets the specific and general criteria for a development agreement. As a result, it is reasonable to

consider permitting an automotive repair shop at 101 Three Mile Plains Cross Rd. by development agreement.



## FINANCIAL IMPLICATIONS

There are no financial implications associated with this application.

## ALTERNATIVES

In response to the application, PAC/HAC may recommend that Council:

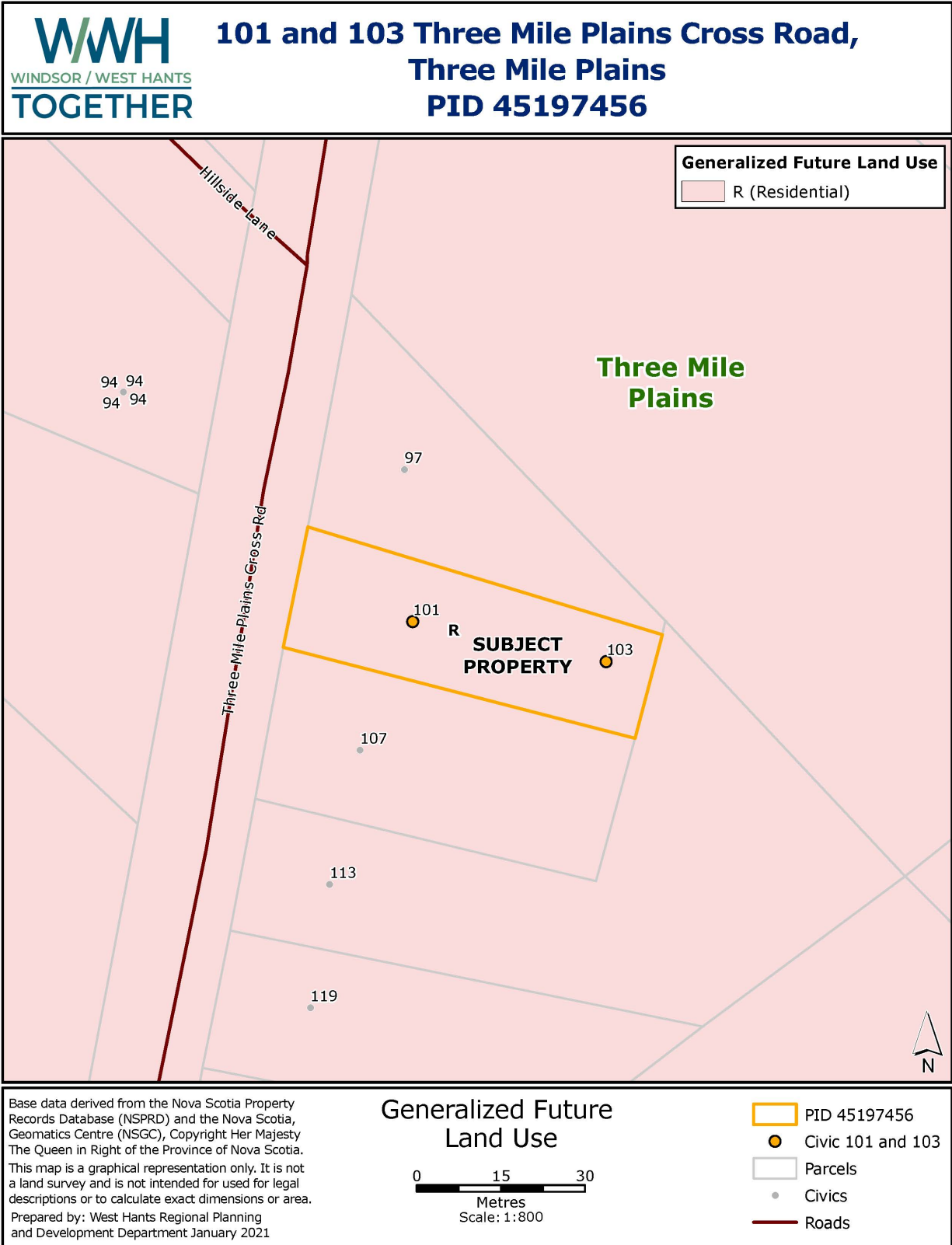
- recommend that Council hold First Reading and authorize a Public Hearing to approve the Development Agreement as drafted or as specifically revised by direction of PAC/HAC;
- provide alternative direction such as requesting further information on a specific topic.

## ATTACHMENTS

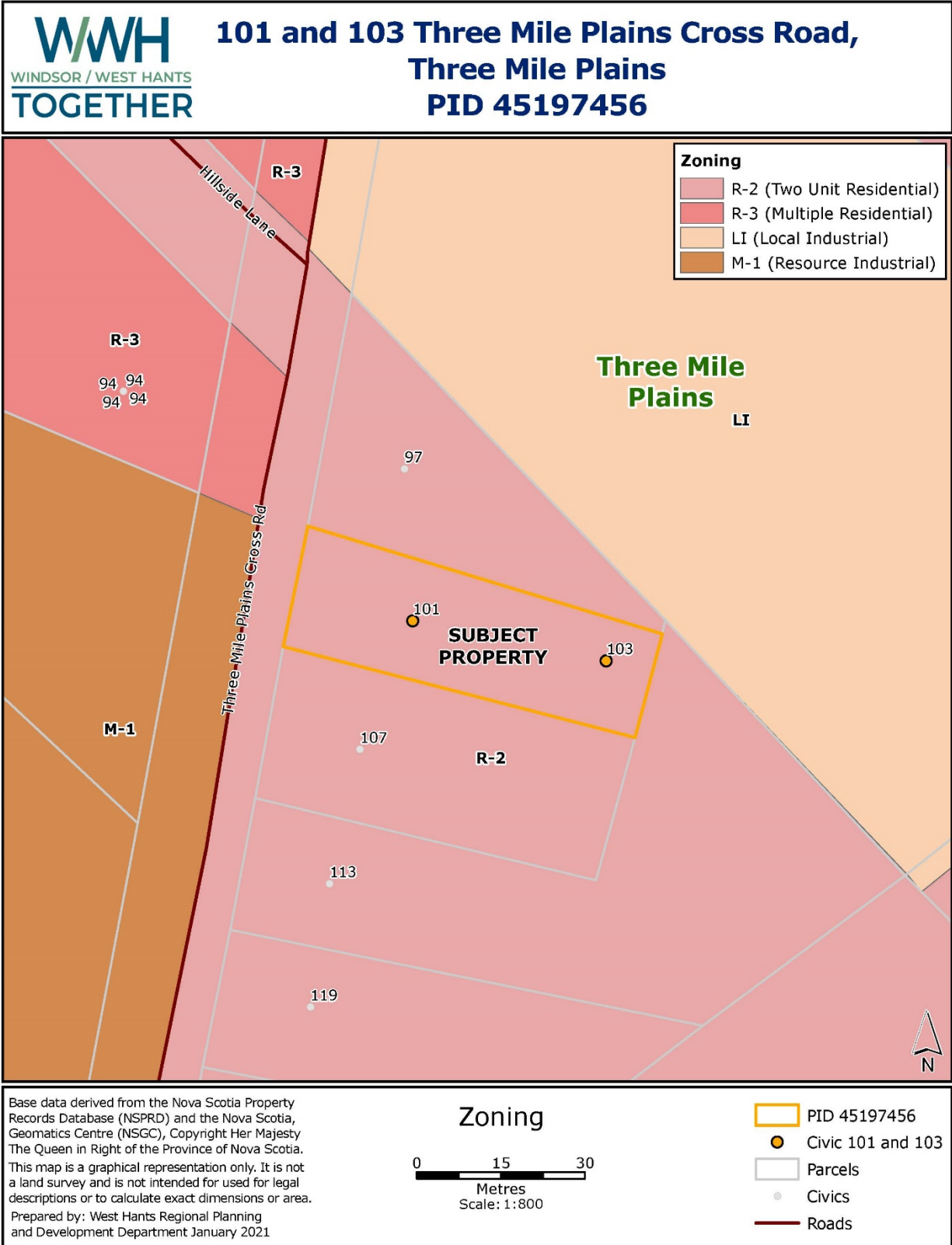
Figure 1	Generalized Future Land Use Map Excerpt
Figure 2	Zoning Map Excerpt
Attachment A	Specific Criteria for Development Agreement
Attachment B	General Criteria for Development Agreement
Attachment C	Draft Development Agreement

Report Reviewed by: \_\_\_\_\_  
Madelyn LeMay, Director of Planning and Development

**Figure 1**  
**Generalized Future Land Use Map Excerpt**



**Figure 2**  
**Zoning Map Excerpt**





## Attachment A

### Specific Criteria for Development Agreement

**Policy 5.7.2**

*It shall be the policy of Council to consider new resource-related industrial uses in the Growth Centres by development agreement subject to the following:*

CRITERIA	COMMENT
(a) <i>the use is permitted in the Resource Industrial (M-1) zone;</i>	Any activity connected with the automobile trade other than an automobile scrap yard or automobile related commercial recreation establishment is permitted in the Resource Industrial (M-1) zone.  The draft development agreement defines the propose use as an "automotive repair shop" which means "a commercial establishment for the repair or replacement of parts in automotive, farm or forestry vehicles, machinery or equipment".
(b) <i>the use is not considered obnoxious by virtue of noise, odours, dust, fumes or other emissions;</i>	The automotive repair shop will be contained within a new proposed building. The applicant has stated the building will be well insulated and they plan on having air conditioning in the building so the doors of the shop will be closed most of the time. The building will have an exhaust fan with a filter to prevent dust and odours from escaping.
(c) <i>the development will not adversely affect adjacent land uses with respect to:</i>	
(i) <i>traffic generation and traffic safety;</i>	The Department of Transportation and Active Transit (DTAT) have stated they do not anticipate a negative impact to traffic generation and safety with the proposed use. DTAT would not consider approving any widening of the existing access currently shared by 97 and 101 Three Mile Plains Cross Rd. but suggested an agreement be put in place to ensure continued access for the automotive use if there is ever a change in ownership of 97 Three Mile Plains Cross Rd. Both properties are currently owned by the same owner and will not require an agreement for access at this time, as the property

	owner cannot enter into an agreement with himself. However, if 97 Three Mile Plains Cross Rd. is sold to a new owner Clause 2.3 of the proposed development agreement requires the property owner to provide proof of an agreement with the new property owner to the Development Officer to ensure access for the automotive repair business can be maintained or the applicant will have to create a new access that is acceptable to DTAT.
<i>(ii) hours of operation;</i>	The hours of operation are regulated in Clause 2.9 of the proposed development agreement as 8 a.m. – 5 p.m. daily.
<i>(iii) noise; and</i>	Please see 5.7.2 (b) for further details.
<i>(iv) size of building.</i>	The size of the building is outlined in the site layout attached to the proposed development agreement. The size of the building is not unusual for the area and a planting strip is required between the abutting property to the east to reduce potential land use conflicts.
<i>(d) the development has frontage on an arterial or collector street;</i>	The lot has frontage on Three Mile Plains Cross Rd. which is a collector street.
<i>(e) safe and efficient roadway access can be provided;</i>	Please see 5.7.2 (i) for further details.
<i>(f) adequate parking and loading areas can be provided;</i>	Clause 2.4 of the proposed development agreement ensures a maximum of six (6) parking spaces are permitted for the automotive repair shop in the development agreement and an adequate parking area is outlined on the site layout.
<i>(g) adequate buffering or screening, setbacks and yards are provided to minimize potential land use conflicts with adjacent properties;</i>	The subject lot and property abutting the subject lot to the north (97) and south (107) are all owned by the same owner. Staff will not requiring buffering, screening, setbacks, and yard from these abutting properties as they have the same owner.

	There is one (1) abutting property to the east that has a different owner. Clause 2.8 in the draft development agreement requires a planting strip between the subject lot and this property to ensure adequate buffering.
<i>(h) open storage and display areas are adequately fenced or screened and limited to the rear yard where there is potential for conflict with adjacent non-industrial uses;</i>	Clause 2.5 of the proposed development agreement does not permit open storage or display areas. Accessory buildings associated with the automotive repair shop are permitted in accordance with Section 5.1 of the WHLUB.
<i>(i) any other matter which may be addressed in a development agreement;</i>	No other matters have been raised.
<i>(j) Policy 16.3.1.</i>	See Attachment B.

**Attachment B**  
**General Criteria for Development Agreement**

**Policy 16.3.1**      *In considering development agreements and amendments to the West Hants Land Use By-law, in addition to the criteria set out in various policies of this Strategy, Council shall consider:*

<b>CRITERIA</b>	<b>COMMENT</b>
<i>(a) whether the proposal is considered premature or inappropriate in terms of:</i>	
<i>(i) the adequacy of sewer and water services;</i>	The Director of Public Works stated that the property is capable of being serviced by municipal water and sewer. They have stated that oil and petroleum products will need to be properly stored and disposed of to ensure these products do not enter the Three Mile Plains sewer system. The applicant has been informed and intends to use oil for an on-site heater or dispose of these products through the provincial recycling programs. Clause 2.7 of the proposed development agreement addresses these concerns and ensures the property owner is responsible for the safe storage and disposal of these products.
<i>(ii) the adequacy of school facilities;</i>	No impact on school facilities is anticipated.
<i>(iii) the adequacy of fire protection and other emergency services;</i>	The Manager of Building and Fire Inspection Services and the local Fire Chief have no concerns with regards to fire protection and emergency services. The Manager of Building and Fire Inspection Services has noted that the applicant purchased a steel structural (non-combustible) building. This will help with the close proximity of the structure to the property lines under the National Building Code. The Fire Chief stated that this is located on a well-maintained road and has a fire hydrant in the area. The adjacent properties appear to be well spread apart from this building if a fire were to occur.

<i>(iv) the adequacy of road networks adjacent to, or leading to the development; and</i>	Please see 8.9.4 (f) for further details.
<i>(v) the financial capacity of the Municipality to absorb any costs relating to the development.</i>	No municipal costs related to this amendment are anticipated.
<i>(b) whether the development is serviced, or capable of being serviced, by a potable water supply and either central sewer or an approved on-site sewage disposal system;</i>	As noted above in 16.3.1 (a) (i), the property is capable of being serviced by municipal water and sewer.
<i>(c) the suitability with any aspect relative to the movement of auto, rail and pedestrian traffic;</i>	Please see 8.9.4 (f) for further details.
<i>(d) the adequacy of the dimensions and shape of the lot for the intended use;</i>	The property is 14,451ft <sup>2</sup> in area and has sufficient space for the intended use based on the building materials required in the National Building Code. As abutting properties to the north and south are within the same ownership, no setbacks and yards have been required.
<i>(e) the pattern of development which the proposal might create;</i>	The use permitted by the development agreement will not create a pattern of development that is unusual for the area.
<i>(f) the suitability of the area in terms of steepness of grade, soil and geological conditions, location of water courses or wetlands, and susceptibility of flooding;</i>	Based on a preliminary site visit the lot is fairly flat and there are no evident concerns in terms of steepness of grade, soil and geological conditions, location of water courses or wetlands, and susceptibility of flooding. The Municipal Climate Change Action Plan (MCCAP) Inland and Coastal Flooding maps and Three Mile Plains Flood Risk Assessment do not show any risks of either inland or coastal flooding on the property. The applicant will be responsible if any issues arise in terms of the suitability of the area for the proposed uses.

<i>(g) whether the proposal meets the requirements of the appropriate provincial or federal agencies as well as whether it conforms to all other relevant municipal by laws and regulations; and</i>	The proposed amendment meets all relevant municipal, provincial and federal regulations.
<i>(h) any other matter required by relevant policies of this Strategy.</i>	Please see Attachment A for further details.

**Attachment C  
Draft Development Agreement**



**DEVELOPMENT AGREEMENT**

**THIS AGREEMENT** made this                      day of                      , 2021.

**BETWEEN:**

**WEST HANTS REGIONAL MUNICIPALITY**, a body corporate pursuant to the Municipal Government Act, having its chief place of business at 76 Morison Drive, Wentworth Creek, in the County of Hants, Province of Nova Scotia,

(Hereinafter referred to as the "Municipality")

**OF THE FIRST PART**

- and -

**Brian C. Lunn and Joleen Ann Lunn**, of 107 Three Mile Plains Cross Road, Three Mile Plains, in the County of Hants, Province of Nova Scotia,

(Hereinafter referred to as the "Owners")

**OF THE SECOND PART**

**WHEREAS** the Owners are the registered owners of a parcel of land located at 101 Three Mile Plains Cross Road (PID 45197456) hereinafter referred to as the "Property", which lands are more particularly described in Schedule A attached hereto; and

**WHEREAS** the Property is designated Residential on the Generalized Future Land Use Map of the West Hants Municipal Planning Strategy (June 26, 2008) (the "Municipal Planning Strategy") and zoned Two-Unit Residential (R-2) on the Zoning Map of the West Hants Land Use By-law (June 26, 2008) (the "Land Use By-law") and is in Three Mile Plains Growth Centre; and

**WHEREAS** the applicant on behalf of the Owners has requested that the Municipality enter into a development agreement to permit an Automotive Repair Shop on the Property (the "Development") and Section 6.1 (i) of the Land Use By-law enables Council to consider a development agreement for any activity connected with the automobile trade other than an automobile scrap yard or automobile related commercial recreation establishment as it is a listed permitted use in the Resource Industrial (M-1) zone; and

**WHEREAS** the Council of the Municipality, at a meeting held on (DATE), approved this request and adopted this Agreement by policy;

**NOW THEREFORE THIS AGREEMENT WITNESSETH** that in consideration of the mutual covenants and agreements herein contained, the parties agree as follows:

## **PART 1 AGREEMENT CONTEXT**

### **1.1 Definitions**

In this Agreement, all words or phrases used shall carry their customary meaning unless otherwise set out in the Land Use By-law, except those defined as follows:

"Automotive Repair Shop" means a commercial establishment for the repair or replacement of parts in automotive, farm or forestry vehicles, machinery or equipment.

### **1.2 Schedules**

The following attached schedules shall form part of this agreement:

- Schedule A - Legal Description
- Schedule B –Site Layout

### **1.3 Municipal Planning Strategy, Land Use By-law and Subdivision By-law**

- (a) *Municipal Planning Strategy* means the West Hants Municipal Planning Strategy, approved on May 13, 2008, as amended, or successor By-laws;
- (b) *Land Use By-law* means the West Hants Land Use By-law, approved on May 13, 2008, as amended, or successor By-laws;
- (c) *Subdivision By-law* means the West Hants Subdivision By-law, approved on May 13, 2008, as amended, or successor By-laws.

## **PART 2 DEVELOPMENT REQUIREMENTS**

### **2.1 Use**

The Parties agree that uses on the Property shall be limited to the following:

- (a) those uses permitted by the underlying zoning in the Land Use By-law; and
- (b) Automotive Repair Shop.



Except as otherwise provided in this Agreement, the provisions of the Land Use By-law and the Subdivision By-law apply to any development undertaken pursuant to this agreement.

## **2.2 Development Location and Design**

The proposed Automotive Repair Shop shall be located entirely within the proposed building located at 101 Three Mile Plains Cross Road identified as "Shop" on the Site Layout, Schedule B.

## **2.3 Access and Egress**

The Owners shall use the driveway access shown on the Site Layout for the Automotive Repair Shop. The driveway access is shared with PID 45002912 which is owned by Brian C. Lunn. If PID 45002912 is sold to someone who is not one of the Owners in this agreement, the Owners shall within 90 days provide the Development Officer either proof of an easement agreement with the new property owner to use the existing driveway access for the Automotive Repair Shop or proof of approval to create a new access to the Property that meets Department of Transportation and Active Transit requirements. Upon written request of the Owners, the Development Officer may grant an extension for the Owners to provide the proof at a later date without such an extension being deemed to be an amendment to this Agreement. The Development Officer, after consultation with the Municipal Engineer, may in their sole discretion approve minor incidental changes to the layout of the driveway.

## **2.4 Parking**

A maximum of six (6) parking spaces may be used as part of the Automotive Repair Shop. The parking shall be located approximately as shown on Schedule B.

## **2.5 Storage**

No open storage or display areas shall be permitted. Accessory buildings for the Automotive Repair Shop shall be permitted in accordance with section 5.1 of the Land Use By-law.

## **2.6 Signs and Lighting**

Signage and illumination shall be in accordance with sections 5.18 and 7.0 of the Land Use By-law which control lighting, size, location, and number of signs. Exterior lighting for driveways, parking areas, signs or structures shall be shielded and directed downward to minimize light spilling, glare or light cast over neighbouring properties or the street.

## **2.7 Water and Sewer Services**

The Property is capable of being serviced by municipal water and sewer. Oil and petroleum products must be stored and disposed of entirely at the Owners' responsibility and expense in a manner that ensures these products do not enter the Three Mile Plains Sewer System.

## **2.8 Landscaping**

The part of the Property directly adjoining PID 45002904 and within 5 ft (1.52 m) shall not be used for any purpose other than a planting strip consisting of a continuous row of trees or hedge of evergreens or shrubs arranged in such a way to form a dense or opaque screen and having a minimum width of 5 ft (1.52 m) measured perpendicular to the lot line.

## **2.9 Hours of Operation**

The hours of operation for the Automotive Repair Shop shall be limited to between 8:00 a.m. and 5:00 p.m. daily, Monday to Sunday, inclusive.

## **2.10 Maintenance**

- (a) The Owners shall keep the Property and buildings and any portion thereof clean and in good repair. Any driveways, fences, lawns, trees, shrubs, walkways and other landscaping elements shall be regularly maintained and kept in a tidy state and free from unkempt materials or matter of any kind.
- (b) The Owners shall maintain the driveway to a level adequate to allow for access by emergency service vehicles.

## **PART 3 CHANGES and DISCHARGE**

- 3.1** The Owners shall not vary or change the use of the Property from that provided for in Section 2.1 of this Agreement, *Use*, unless a new agreement is entered into with the Municipality or this agreement is amended.
- 3.2** Any matters in this agreement which are not specified in Subsection 3.3 below are not substantive matters and may be changed with the written consent of Council without a public hearing provided that Council determines that the changes do not significantly alter the intended effect of these aspects of this agreement.
- 3.3** The following matters are substantive matters:
  - (a) the uses permitted on the Property as listed in Section 2.1 *Use* of this Agreement; and
  - (b) the location of the shop, parking, and driveway shown on Schedule B of this agreement.
- 3.4** Notwithstanding the foregoing, discharge of this agreement is not a substantive matter and this agreement may be discharged by Council without a public hearing.
- 3.5** Notice of Intent to Discharge this Agreement may be given by the Municipality to the Owners following a resolution of Council to give such Notice:
  - (a) as provided for in Section 4.1, *Commencement of Development*, of this Agreement; or
  - (b) at the discretion of the Municipality, with or without the concurrence of the Owners, where the Development has, in the reasonable opinion of Council on advice from the Development Officer, ceased operation for a period of at least twenty-four (24) months; or

- (c) at any time upon the written request of the Owners, provided the use of the Property is in accordance with the Land Use By-law or a new Agreement has been entered into.

**3.6** Council may discharge this Agreement 30 days after a Notice of Intent to Discharge has been given.

## **PART 4 IMPLEMENTATION**

### **4.1 Commencement of Development**

- (a) The Owners may not commence any construction or use on the Property until the Municipality has issued any development permit, building permit and/or occupancy permit that may be required.
- (b) Development as provided in Part 2 of this Agreement shall commence not later than 24 months from the date this Agreement is signed. If, in the opinion of the Development Officer, this time limit has not been met, this Agreement may be discharged at the option of the Municipality by resolution of Council in accordance with Section 229 of the Municipal Government Act, 30 days after giving Notice of Intent to Discharge to the Owners. Upon the written request of the Owners, the Municipality, by resolution of Council, may grant an extension to the date of commencement of development without such an extension being deemed to be an amendment to this Agreement.
- (c) If the Owners are bona fide delayed from commencing the development for reasons which are beyond the Owners' control, the determination of which shall be at the sole discretion of the Development Officer, then performance by the Owners is excused for the period of the delay and the time period for the Owners to perform their obligations shall be extended by the Development Officer in writing for an equivalent period, without such an extension being deemed to be an amendment to this Agreement.

### **4.2 Material to be Provided**

- (a) The Owners shall provide record drawings to the Development Officer for any portion of the development for which an engineered design is required, within ten days of completion of any work which requires the engineered design.
- (b) The Owners shall, upon written request, provide the Municipality with copies of any documentation, permits or approvals required by Provincial or Federal governments or agencies.

## **PART 5 ADMINISTRATION and COMPLIANCE**

### **5.1 Compliance with Other Bylaws and Regulations**

- (a) Nothing in this Agreement shall exempt the Owners from complying with Federal, Provincial and Municipal laws, by-laws and regulations in force or from obtaining any Federal, Provincial, or Municipal license, permission, permit, authority, or approval required thereunder.

- (b) Where the provisions of this Agreement conflict with those of any by-law of the Municipality applicable to the Property (other than the Land Use By-law to the extent varied by this Agreement) or any statute or regulation, the higher or more stringent requirements shall prevail.

## **5.2 Severability of Provisions**

The provisions of this Agreement are severable from one another and the invalidity or unenforceability of one provision shall not affect the validity or enforceability of any other provision.

## **5.3 Interpretation**

- (a) Where the context requires, the singular shall include the plural and the masculine gender shall include the feminine and neutral gender.
- (b) Where the written text of this Agreement conflicts with information provided in the Schedules attached to this Agreement, the written text of this Agreement shall prevail.

## **5.4 Municipal Responsibility**

- (a) The Municipality does not make any representations to the Owners about the suitability of the Property for the development proposed by this agreement. The Owners assume all risks and must ensure that any proposed development complies with this Agreement and all other laws pertaining to the Development.
- (b) Any failure of the Municipality to insist upon a strict performance of any requirements or conditions contained in this Agreement shall not be deemed a waiver of any rights or remedies that the Municipality may have and shall not be deemed a waiver of any subsequent breach or default in the conditions or requirements contained in this Agreement.

## **5.5 Breach of Terms or Conditions**

Upon breach of any term or condition of this Agreement, the Municipality may notify the Owners in writing. In the event that the Owners have not cured any such breach or entered into arrangements with the Municipality related to such breach to the Municipality's satisfaction, acting reasonably, within six (6) months of such notice then the Municipality may rely upon the remedies contained in Section 264 of the *Municipal Government Act* and may enter the land and perform any of the terms contained in the Development Agreement, or take such remedial action as is considered necessary to correct a breach of the Agreement, including the removal or destruction of anything that contravenes the terms of the Agreement and including decommissioning the site. It is agreed that all reasonable expenses, whether arising out of the entry on the land or from the performance of the terms, are a first lien on the land that is the subject of the Development Agreement.

## **5.6 Costs**

The Owners shall pay all costs associated with the advertising required for this Agreement, the costs of registering this Agreement, and all costs associated with any amendment thereof.

#### **5.7 Development Agreement Bound to Land**

This Agreement shall be binding upon the parties hereto and their heirs, executors, administrators, successors and assigns, and shall run with the land which is the subject of this Agreement until such time as it is discharged by the Municipality in accordance with Section 229 of the Municipal Government Act.

#### **5.8 Assignment of Agreement**

The Owners may, at any time and from time to time, transfer or assign this Agreement and its rights hereunder and may delegate its obligations hereunder to an assign, successor, heir, or purchaser of the land bound by this Agreement.

#### **5.9 Written Notice**

- (a) The Municipality may serve notice on the Owners personally or by ordinary mail which shall be deemed to have been received within three (3) business days of mailing, addressed to Brian C. Lunn and Joleen Ann Lunn, 107 Cross Road, Windsor, NS, B0N 2T0 or at any other address provided by the Owners.
- (b) The Owners may serve notice on the Municipality by registered mail addressed to the Chief Administrative Officer, West Hants Regional Municipality, 76 Morison Drive, P.O. Box 3000, Windsor, NS, B0N 2T0.

#### **5.10 Full Agreement**

This agreement constitutes the entire agreement and contract entered into by the Municipality and the Owners. No other agreement or representation, oral or written, shall be binding.

**IN WITNESS WHEREOF** this Agreement was properly executed by the respective parties hereto on the day and year first above written.

**SIGNED, SEALED AND DELIVERED**

In the presence of:

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Witness

) **WEST HANTS REGIONAL**

) **MUNICIPALITY**

)

)

)

)

Per: \_\_\_\_\_

) Abraham Zebian, Mayor

)

) Per: \_\_\_\_\_

) \_\_\_\_\_, Municipal Clerk

)

)

)

)

)

)

)

Per: \_\_\_\_\_

) Brian C. Lunn

)

)

Per: \_\_\_\_\_

) Joleen Ann Lunn

)

**PROVINCE OF NOVA SCOTIA  
COUNTY OF HANTS**

**ON THIS**            day of            , A.D. 2021, before me, the subscriber, personally came and appeared            , a subscribing witness to the foregoing Indenture, who, having been by me duly sworn, made oath and said that **THE WEST HANTS REGIONAL MUNICIPALITY**, one of the parties thereto, caused the same to be executed in its name and on its behalf and its corporate seal to be thereunto affixed in h            presence.

---

A Commissioner of the Supreme Court of Nova Scotia

**ON THIS**            day of            , A.D. 2021, before me, the subscriber, personally came and appeared            , a subscribing witness to the foregoing Indenture, who, having been by me duly sworn, made oath and said that **THE WEST HANTS REGIONAL MUNICIPALITY**, one of the parties thereto, caused the same to be executed in its name and on its behalf and its corporate seal to be thereunto affixed in h            presence.

---

A Commissioner of the Supreme Court of Nova Scotia

**PROVINCE OF NOVA SCOTIA  
COUNTY OF HANTS**

**ON THIS**            day of            , A.D. 2021, before me, the subscriber, personally came and appeared            , a subscribing witness to the foregoing Indenture, who, having been by me duly sworn, made oath and said that, **Brian C. Lunn**, one of the parties thereto, signed, sealed and delivered the same in h            presence.

---

A Commissioner of the Supreme Court of Nova Scotia

**PROVINCE OF NOVA SCOTIA  
COUNTY OF HANTS**

**ON THIS**       day of       , A.D. 2021, before me, the subscriber, personally came and appeared       , a subscribing witness to the foregoing Indenture, who, having been by me duly sworn, made oath and said that, **Joleen Ann Lunn**, one of the parties thereto, signed, sealed and delivered the same in h       presence.

---

A Commissioner of the Supreme Court of Nova Scotia



AFFIDAVIT OF CLERK  
THE REGION OF WINDSOR AND WEST HANTS MUNICIPALITY

I, \_\_\_\_\_ of \_\_\_\_\_, Hants County, Nova Scotia make oath and swear that:

1. I am the Clerk of the West Hants Regional Municipality (The "Municipality") and I have personal knowledge of the matters to which I have sworn in this Affidavit.
2. The Municipality is a body corporate pursuant to the Municipal Government Act, S.N.S. 1988, c.18, as amended.
3. I acknowledge that the Municipality executed the attached Instrument by its proper designates duly authorized in that regard under seal on the date of this Affidavit pursuant to subsection 13(3) of the Municipal Government Act, S.N.S. 1988, c.18, as amended. This acknowledgement is made pursuant to subsection 31(a) of the Registry Act, R.S.N.S. 1989, c.392 and/or clause 79(1)(a) of the Land Registry Act, S.N.S. 2001, c.6, as amended, for the purpose of registering or recording the Instrument.
4. The Municipality is resident in Canada for the purposes of the Income Tax Act (Canada).

Sworn before me at \_\_\_\_\_, Nova Scotia,  
this \_\_\_\_\_, 2021.

\_\_\_\_\_  
A BARRISTER/COMMISSIONER OF THE  
SUPREME COURT OF NOVA SCOTIA  
Print name/affix seal

\_\_\_\_\_, Municipal Clerk

I CERTIFY that on this date \_\_\_\_\_ personally came before me and swore under oath the foregoing Affidavit.

\_\_\_\_\_  
A BARRISTER/COMMISSIONER OF THE  
SUPREME COURT OF NOVA SCOTIA  
Print name/affix seal

CANADA  
PROVINCE OF NOVA SCOTIA  
HANTS COUNTY

AFFIDAVIT & PROOF OF EXECUTION (INDIVIDUAL)

We, Brian C. Lunn and Joleen Ann Lunn, the "Deponents", make oath and swear that:

1. **We acknowledge that we executed the foregoing instrument on the date of this affidavit; this acknowledgement is made for the purpose of registering such instrument pursuant to s.31(a) of the *Registry Act*, R.S.N.S. 1989, c.392 or s.79(1)(a) of the *Land Registration Act* as the case may be.**
2. We are nineteen years of age or older and are residents of Canada under the *Income Tax Act* (Canada).
3. For the purpose of this affidavit "spouse" means an individual who is married to another individual; is married to another individual by a marriage that is voidable and has not been voided by a declaration of nullity; has gone through a form of marriage with an individual, in good faith, that is void and they are cohabiting or have cohabited within the preceding year; or is a party to a registered domestic-partner declaration made in accordance with Section 53 of the *Vital Statistics Act* as amended, but does not include an individual who becomes a former domestic partner pursuant to section 55(1) of the Act.
4. We are the spouses of each other. Neither of us has any other spouse nor, with respect to the within property, any former domestic partner with the rights contemplated by Section 55 of the *Vital Statistics Act*, or any former spouse with rights under the *Matrimonial Property Act*. We consent to this disposition.

I certify that on this \_\_\_\_\_, 2021  
the Deponent came before me, made oath,  
and swore the foregoing affidavit at  
\_\_\_\_\_, Nova Scotia.

\_\_\_\_\_  
A BARRISTER/COMMISSIONER OF THE  
SUPREME COURT OF NOVA SCOTIA

\_\_\_\_\_  
Brian C. Lunn

\_\_\_\_\_  
Joleen Ann Lunn

**Schedule A**  
**Legal Description – PID 45197456**

All that lot of land at Three Mile Plains, in the County of Hants shown as Lot 2 on a plan of lands of Cedric K. and Ruth M. Lunn made by Robert S. Redden, N.S.L.S., dated May 14, 1980 and revised on May 16, 1980, approved on June 4, 1980 by the Municipality of West Hants and filed at the Registry of Deeds at Windsor as plan number P 2952, and said lot being described as follows:

Beginning on the South east boundary of the Cross Road at Three mile Plains, at a survey marker driven in the ground distant 205 feet more or less in a direction South 30 degrees 40 minutes 0 seconds West from the Northwestern corner of lands of Robert Lockhart;

Thence South 54 degrees 49 minutes 0 seconds East 211.96 feet to a survey marker driven in the ground;

Thence South 34 degrees 12 minutes and 40 seconds West 66.97 feet to a survey marker;

Thence North 55 degrees 52 minutes and 20 seconds West 207.54 feet to the Southeast boundary of the Cross Road;

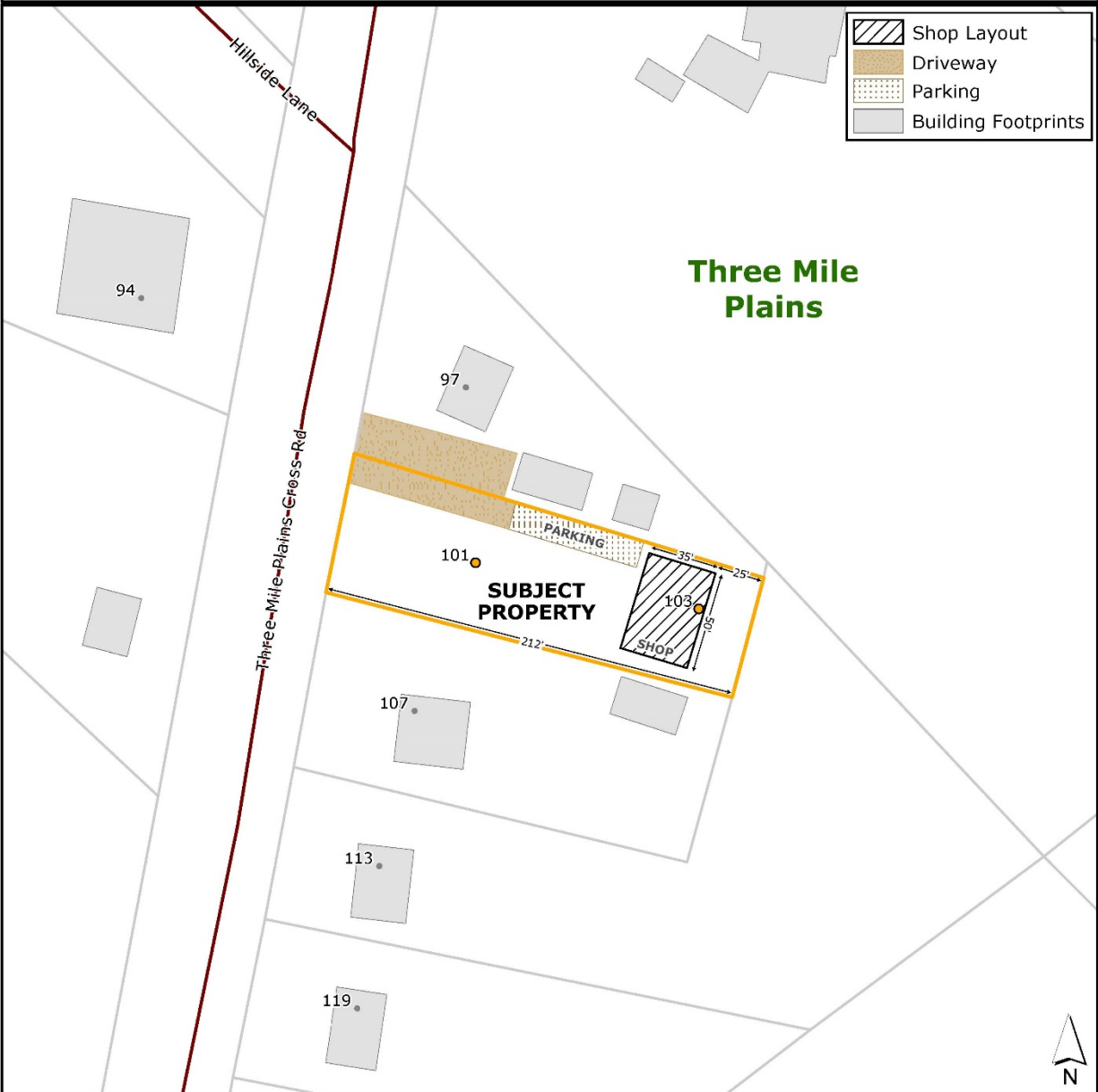
Thence North 30 degrees 40 minutes and 0 seconds East along the Southeast boundary of the Cross Road 71 feet to the place of beginning, containing an area of 14,451 square feet.

Together with the rights of the Mortgagor/Grantor under an agreement dated May 1, 1998 and registered at the said Registry of Deeds in Book 832, page 762, Document number 1642.

Schedule B  
Site Layout

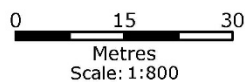


103 Three Mile Plains Cross Road,  
Three Mile Plains  
PID 45197456



Base data derived from the Nova Scotia Property Records Database (NSPRD) and the Nova Scotia, Geomatics Centre (NSGC), Copyright Her Majesty The Queen in Right of the Province of Nova Scotia. This map is a graphical representation only. It is not a land survey and is not intended for used for legal descriptions or to calculate exact dimensions or area. Prepared by: West Hants Regional Planning and Development Department February 2021

Site Layout



- PID 45197456
- Civic 101 and 103
- Parcels
- Civics
- Roads



## WEST HANTS REGIONAL MUNICIPALITY REPORT

Information <input type="checkbox"/>	Recommendation <input type="checkbox"/>	Decision Request <input checked="" type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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**To:** Mayor Zebian and Members of West Hants Regional Municipality Council

**Submitted by:** \_\_\_\_\_  
Sara Poirier, Planner

**Date:** 2021-07-27

**Subject:** File # 21-05 D: Development Agreement: 20 Empire Lane, Windsor, PID 45055746

---

### LEGISLATIVE AUTHORITY

Section 230 of the Municipal Government Act.

### POSSIBLE MOTION

Should Council wish to approve the amended development agreement to permit an additional three (3) dwelling units within the existing building at 20 Empire Lane following completion of the Public Hearing, the following motion would be in order:

...that Council gives Second Reading to and approves entering into a development agreement which replaces the original development agreements at 20 Empire Lane, PID 45055746, and allows interior changes to the existing building to accommodate an additional three (3) dwelling units in a manner substantively the same as the draft set out in Attachment C of the report #21-05 to the Planning and Heritage Advisory Committee dated June 10, 2021, taking note that this development agreement will discharge and replace the development agreements recorded at the Registry of Deeds on March 10, 1998 and June 24, 1998 as documents 900 and 2485.

### BACKGROUND

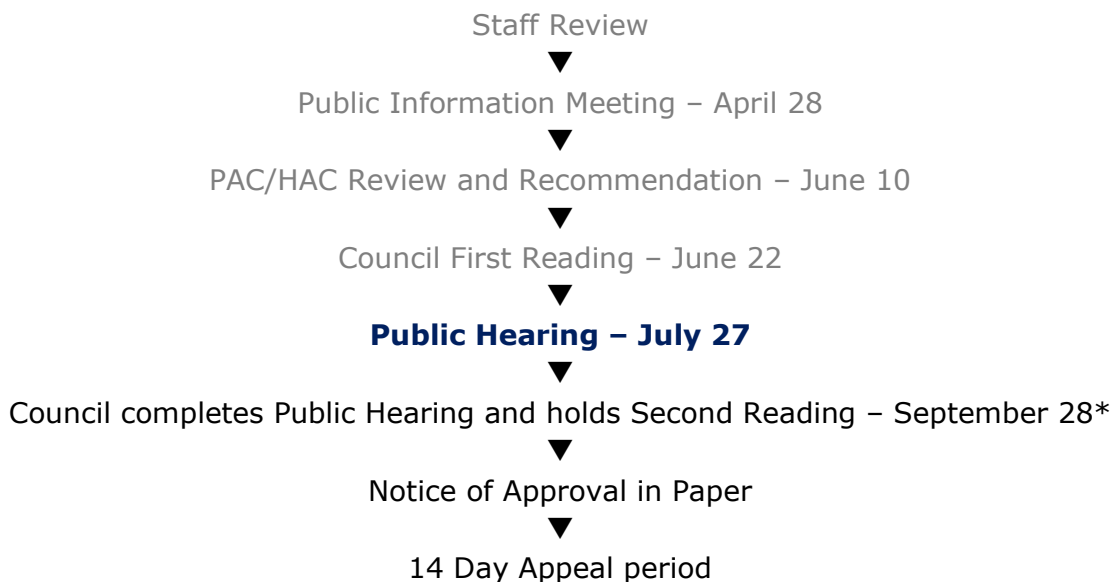
An application was received from Mr. Ramsay Duff, Chief Executive Officer of MacLeod Group, to amend the development agreement registered on the property to permit an additional three (3) apartments within the existing building on the property at 20 Empire Lane, Windsor.

A Public Information Meeting (PIM) was held virtually and broadcast live on the Municipal Facebook page on April 28, 2021 to consider the requested development agreement amendment (Appendix A).

On June 10, 2021 staff presented a recommendation report to the Planning Advisory Committee / Heritage Advisory Committee (PAC/HAC) (Appendix B). The PAC/HAC recommended in favour of the development agreement amendment.

Council held first reading on June 22, 2021.

## NEXT STEPS



\*anticipated dates; final dates will be set by Council

## APPENDICIES

**Appendix A** 2021-04-28 Public Information Meeting Notes – File 21-02 A

**Appendix B** 2021-06-10 Staff Report – Development Agreement: 20 Empire Lane, PID 45055746; File #21-05 B

Report Prepared by: \_\_\_\_\_  
Sara Poirier, Planner

Report Reviewed by: \_\_\_\_\_  
Madelyn LeMay, Director of Planning and Development

Report Approved by: \_\_\_\_\_  
Mark Phillips, CAO

## **Appendix A**

### **Public Information Meeting Notes**

**April 28, 2021 – May 11, 2021**

**File 21-05 A**

**20 Empire Lane, Windsor; PID 45055746**

<b>Meeting date and time</b>	A virtual Public Information Meeting was held on April 28, 2021 beginning at 7 p.m. The meeting was live broadcast on the Municipal Facebook page.
<b>Attending</b>	<p>In attendance:</p> <p>One (1) Councillor:</p> <ul style="list-style-type: none"><li>• Councillor Ivey (Chair)</li></ul> <p>Four (4) members of staff:</p> <ul style="list-style-type: none"><li>• Director LeMay</li><li>• Planner Poirier</li><li>• Meeting Secretary Lake</li><li>• CAO Phillips</li></ul> <p>As this meeting was held virtually there were no members of the public present.</p>
<b>Applicant name and site location (Civic address and PID)</b>	Planner Poirier outlined the request from Ramsay Duff, Chief Executive Officer of MacLeod House to amend a development agreement (1998) at 20 Empire Lane in Windsor to allow an additional three (3) dwelling units within the existing building, change the layout of the multipurpose room and lounge to accommodate these three (3) additional units, and change the style of apartments outlined in the development agreement in both phase 1 and 2 to be more flexible to market demand.
<b>Comments</b>	<p>Comments from the public could be submitted to Planner Poirier by mail, e-mail and telephone between April 28 and May 11, 2021.</p> <p>No written or verbal comments were received from the public.</p>
<b>Adjournment</b>	The meeting was adjourned at 7:10 p.m.



**WEST HANTS REGIONAL MUNICIPALITY REPORT**

Information <input type="checkbox"/>	Recommendation <input checked="" type="checkbox"/>	Decision Request <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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**To:** Members of Planning and Heritage Advisory Committee (PAC/HAC)

**Submitted by:** \_\_\_\_\_  
Sara Poirier, Planner

**Date:** 2021-06-10

**Subject:** Development Agreement: 20 Empire Lane, PID 45055746; File #21-05

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**LEGISLATIVE AUTHORITY**

Section 230 of the Municipal Government Act.

**RECOMMENDATION**

To allow the requested development, staff recommends that the PAC/HAC forward a positive recommendation by passing the following motion:

...that PAC/HAC recommends that Council give First Reading and hold a Public Hearing to consider entering into a development agreement which replaces the original development agreements at 20 Empire Lane, PID 45055746, and allows interior changes to the existing building to accommodate an additional three (3) dwelling units in a manner substantively the same as the draft set out in Attachment C of the report #21-05 to the Planning and Heritage Advisory Committee dated June 10, 2021, taking note that this development agreement will discharge and replace the development agreements recorded at the Registry of Deeds on March 10, 1998 and June 24, 1998 as documents 900 and 2485.

**BACKGROUND**

A completed application was received on March 11, 2021 from Ramsay Duff, Chief Executive Officer of MacLeod Group to consider amending the development agreement registered on the property to permit an additional three (3) apartments within the existing building on the property at 20 Empire Lane, Windsor. The applicant also requested amendments to the development agreement to allow the change of layout of the multi-purpose room and lounge to accommodate these three (3) additional units and to change the style of apartments outlined in the development agreement in both phase



1 and 2 to be more flexible to market demand. The lot is the site of MacLeod House which currently has twenty seven (27) apartments, and a multi-purpose room, lounge, kitchen, dining room, and a hair salon.

## **DISCUSSION**

The 3.86 acre subject lot is located on Empire Lane in Windsor. The lot is designated Commercial on the Generalized Future Land Use Map (Figure 1) of the Windsor Municipal Planning Strategy (WMPS). Part 8.0 of the WMPS contains the overall intention for properties designated Commercial in Windsor.

The lot is zoned Shopping Centre (SC) on the Zoning Map of the Windsor Land Use By-law (WLUB) (Figure 2).

The subject lot is also within the Wentworth Road Gateway District and the Environmental Constraints area. Part 8.6 of the WMPS discusses the overall intention for properties within the Wentworth Road Gateway District and Part 12.0 of the WMPS outlines the restrictions on properties within the Environmental Constraints area.

The subject lot directly abuts properties with a variety of different zoning and designations (Table 1).

**Table 1: Use Abutting Subject Lot By Direction**

North	The property abutting the subject lot to the north is designated Commercial and zoned Shopping Centre (SC).
East	The property to the east of the subject lot is within the Windsor Industrial park on Centennial Drive. It is designated Industrial and zoned Light Industrial (LI-1).
South	The property to the south of the subject lot is designated Commercial and zoned Wentworth Road Commercial (WR-C). The properties on the south side of Wentworth Road are designated Commercial and zoned General Commercial (GC).
West	Empire lane and the properties that extend north from Empire Lane are designated Commercial and zoned Shopping Centre (SC). The properties on the west side of Empire Lane are designated Commercial and zoned High Density Residential (R-4).

### ***Development Agreement***

A development agreement is a legal contract between an owner of land and the Municipality to allow Council to consider a use that is not a listed, permitted use within a zone on a specific lot. The ability for Council to consider a development agreement must be stated in the Land Use Bylaw (LUB) and the Municipal Planning Strategy (MPS) must identify the kinds of uses Council may consider in each area. Uses which Council may

consider are those which Council has determined may have sufficient impact on an area that a negotiated process is required to ensure the potential impact is minimized. In the Municipal Planning Strategy Council usually identifies both specific and general criteria which must be considered when making decisions regarding a development agreement.

### ***Current Development Agreement***

The current development agreement was permitted under Policy 7.11.3 of the 1991 WMPS as amended to August 2004. The background discussion for this policy states that "In 1997, the Town received a request to permit a motel to convert its individual units to multiple residential use, while still retaining the more commercial aspects of the motel such as the lounge, restaurant, hairdressers' shop, and banquet and meeting facilities. Such a mixed use development was not permitted either through a rezoning or a development agreement. To permit Council to consider such developments, amendments were made to the Municipal Planning Strategy and Land Use By-law."

- "Policy 7.11.3** It shall be the intention of Council to permit mixed use multiple residential / commercial uses by development agreement in areas designated Shopping Centre where the maximum total commercial floor area is not greater than forty percent of the total floor area, subject to consideration of the following criteria:
- (a) the commercial use is permitted in either the Town Centre (TC) or Shopping Centre (SC) Commercial Zones;
  - (b) that adequate provision is made to minimize conflict between commercial and residential development with respect to access, parking, noise, and hours of operations;
  - (c) the provision for screening of outdoor storage and waste materials;
  - (d) the location of the proposed development does not comprise the commercial integrity of the area, or restrict existing commercial development patterns;
  - (e) the adequate fire protection can be provided;
  - (f) that adequate provision is made for parking and for safe pedestrian and vehicular access to the site;
  - (g) the architectural design and scale of the proposed development is compatible with the surrounding area;
  - (h) that adequate landscaping, amenity areas, and natural or artificial buffering will be provided;
  - (i) Policy 21.2"

This policy was specifically created to allow Council to consider the conversion of the building at 20 Empire Lane from a motel to a multiple residential building with some

commercial uses by development agreement. This policy no longer exists in the current WMPS.

The MacLeod House was permitted through a development agreement between the Town of Windsor and Schaffner Enterprises Ltd. This agreement was registered on the property twice, once on March 10, 1998 as document 900 and once on June 24, 1998 as document 2485. The development agreement permits:

- residential development of twenty seven (27) apartments in phase 1 (already constructed) and twenty four (24) apartments in phase 2 (not yet developed);
- a multipurpose room for the use of the residents;
- a lounge;
- a dining room/restaurant; and
- a hair salon.

### ***Proposed Development Agreement***

The applicant requests that Council consider amending the agreement to permit an additional three (3) apartments within the existing building as part of the phase 1 development by increasing the number of apartments in phase 1 to thirty (30) units in total. The applicant has also requested some amendments to the agreement to allow the conversion of the multipurpose room to accommodate the three (3) additional units, conversion of the lounge to the new multi-purpose room, and to provide more flexibility to the type of apartments they can provide in both phase 1 and 2.

A few additional minor changes to the development agreement to align with the current planning policies, regulations and definitions include:

- change the permitted use from “hair salon” to “personal service shop” which could include but is not limited to a barber, hairdresser, beautician, masseur, tailor, dressmaker and shoemaker, as well as a sun tanning shop, a formal rental shop and depots for collecting dry cleaning and laundry. This better aligns with the applicant’s proposal of providing space for a hair stylist and foot care specialist;
- remove the specifications on where the multi-purpose room and residential uses will enter and exit;
- add maintenance of the pedestrian walkway in general conformance with the site plan to Section 2.3, *Access and Egress*;
- add that the developer should include landscaping within parking areas for Phase 2 to avoid the appearance of large, uninterrupted expanses of asphalt to Section 2.7, *Landscaping*, to meet the requirements of criteria 8.6.16 (e);
- remove the section “Fire Protection” which stated that the construction/building plans for each phase were required to be sent to the Office of the Provincial Fire Marshall for approval. Our Manager of Building and Fire Inspection Services noted that the municipal inspectors would inspect the building plans to ensure they conform with the National Building Code and that this clause is no longer necessary;

- add more details to Section 2.9, *Environmental Constraints Area*, to in accordance with the current regulations for building in the Environmental Constraints Area;
- add Section 2.13, *Outdoor Storage*, to prohibit outdoor storage in accordance with Policy 9.2.1 (i);
- remove the requirement that the architectural style of the building be constructed in conformity with the plans attached to the 1998 agreement to provide the developer modern design flexibility for phase 2;
- change the list of non-substantive matters to a list of substantive matters in Section 3.3; and
- add Clause 4.1 (d) which specifies a time limit of sixty (60) months for the development of Phase 2. Unless an extension of this time period is requested by the property owner, Phase 2 shall no longer be permitted to be developed.

The applicant finds all of these changes acceptable. The draft development agreement is located in Attachment C.

Section 6.0 of the WLUB, *Development Agreements*, states that “*The following developments may be considered only by development agreement in accordance with the Municipal Government Act and the Municipal Planning Strategy*”:

- (j) development proposals in the Wentworth Road Gateway District in accordance with Policy 8.6.15 of the Municipal Planning Strategy for: large format retail stores exceeding 50,000 ft<sup>2</sup> (4,645 m<sup>2</sup>) in commercial floor area; regional shopping centres; institutional uses; mixed use; multiple unit residential; or light industrial development; and
- (l) mixed use development in the Commercial designation or the Industrial designation outside the industrial parks in accordance with Policy 9.2.1 of the Municipal Planning Strategy;

Part 8.0 of the WMPS contains the policies for the commercial areas in Windsor. Section 8.6 of the WMPS discusses the policies for the Wentworth Road Gateway District specifically. Policy 8.6.15 establishes Council’s intention to “*consider within the Wentworth Road Gateway District, mixed use, multiple unit residential, by development agreement*”. The subject lot is within the Wentworth Road Gateway District therefore the development agreement can also be considered under this policy.

Part 9.0 of the WMPS contains the policies for mixed use development in Windsor. Policy 9.2.1 establishes Council’s intention to “*consider mixed use development by development agreement in the Commercial designation or the Industrial designation outside the industrial parks*”. The subject lot is designated Commercial therefore the development agreement can be considered under this policy.

The criteria for both Policy 8.6.15 and 9.2.1 have been evaluated by staff in Attachment A.

## **Windsor Municipal Planning Strategy**

### ***Environmental Constraints Areas***

Although the property owner is planning to renovate the existing building for the additional three (3) apartment units, the development agreement allows an addition of twenty-four apartment units in phase 2 through a major addition to the existing building.

Since construction of the building at 20 Empire Lane in the early 1970's, the Windsor planning documents have been updated. The subject lot is now included in the Environmental Constraints designation (Figure 3) which means that it has been identified as marshland, specifically within the Tregothic Marsh. Properties within the Environmental Constraints designation have to meet more stringent requirements, including completing an environmental study, before being issued a development permit for any new building. Since the owner is utilizing the existing building that was constructed prior to 2002 they do not have to meet these requirements unless they are proposing to construct new buildings on site. The existing building may be enlarged, reconstructed, repaired or renovated provided all other requirements of the WLUB are met.

The Windsor Dykeland's Background Report (2001) specifies that the subject lot, and approximately 40 percent of the properties within the Tregothic Marsh, have been exempted by the Province from the requirements of Section 41 of the *Agricultural Marshland Conservation Act*. The *Agricultural Marshland Conservation Act* (2001) protects marshland for agricultural purposes. Being exempt from this portion of the *Act* means that the owner would not have to apply to the Marsh Body to allow any future construction. Any new construction on site including the addition to the building for phase 2 would have to meet the requirements of Section 27.0 of the WLUB and any other requirements of the Regional Municipality.

### **WMPS Specific Criteria**

Policy 8.6.15 establishes Council's intention to "*consider within the Wentworth Road Gateway District, mixed use, multiple unit residential, by development agreement*" and Policy 9.2.1 establishes Council's intention to "*consider mixed use development by development agreement in the Commercial designation or the Industrial designation outside the industrial parks*". These policies both establish criteria to be considered by Council. These criteria are examined in detail in Attachment A. In summary, the criteria are met since:

- the proposed development will not conflict with neighbouring uses;
- the proposed development consists of a combination of residential and commercial uses;
- adequate landscaping, open space and natural or artificial buffering is provided; and
- no outdoor storage is permitted.

### **WMPS General Criteria**

The proposal meets the general criteria for amendment set out in WMPS Policy 16.3.1. These criteria are examined in detail in Attachment B. In summary:

- the proposal is not premature or inappropriate for the area;
- no municipal costs related to the proposal are anticipated; and

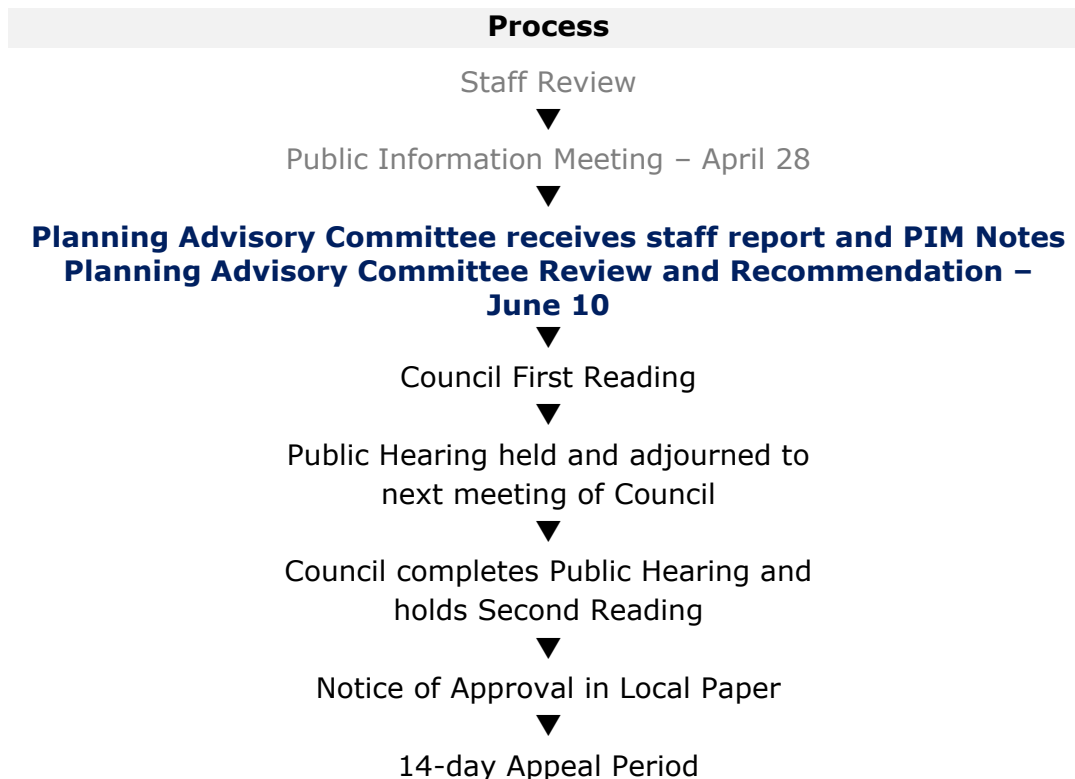
- the Fire Chief, Manager of Building and Fire Inspection Services, Development Officer, Director of Public Works and Traffic Authority have no major concerns.

## **MUNICIPAL CLIMATE CHANGE ACTION PLAN**

The Municipal Climate Change Action Plan (MCCAP) for Windsor (2014) highlights two simulated flooding scenarios. The first scenario is based on a storm surge that occurred in 1997, which shows the expected damage is to occur along the coastline. The second scenario shows the simulated flooding extent for probable maximum flood due to climate change. Under this scenario most of the community of Windsor including the subject lot would experience flooding and properties within the Tregothic Marsh Body will experience extensive flooding.

## **NEXT STEPS**

As noted above, the proposed development agreement has been considered within the context of the general policies of the WMPS and is consistent with the intent, objectives and policies of the WMPS. It also meets the general criteria for development agreements in Windsor. As a result, it is reasonable enter into a development agreement to permit an additional three (3) dwelling units in the existing building, changing the layout of the multi-purpose room and lounge to accommodate these three (3) additional units, and changing the style of apartments in both phase 1 and 2.



## **FINANCIAL IMPLICATIONS**

There are no anticipated costs to the Municipality in regard to this development.

## **ALTERNATIVES**

In response to the application, PAC/HAC may:

- recommend that Council hold First Reading and authorize a Public Hearing to approve the development agreement as drafted or as specifically revised by direction of PAC/HAC;
- provide alternative direction such as requesting further information on a specific topic.

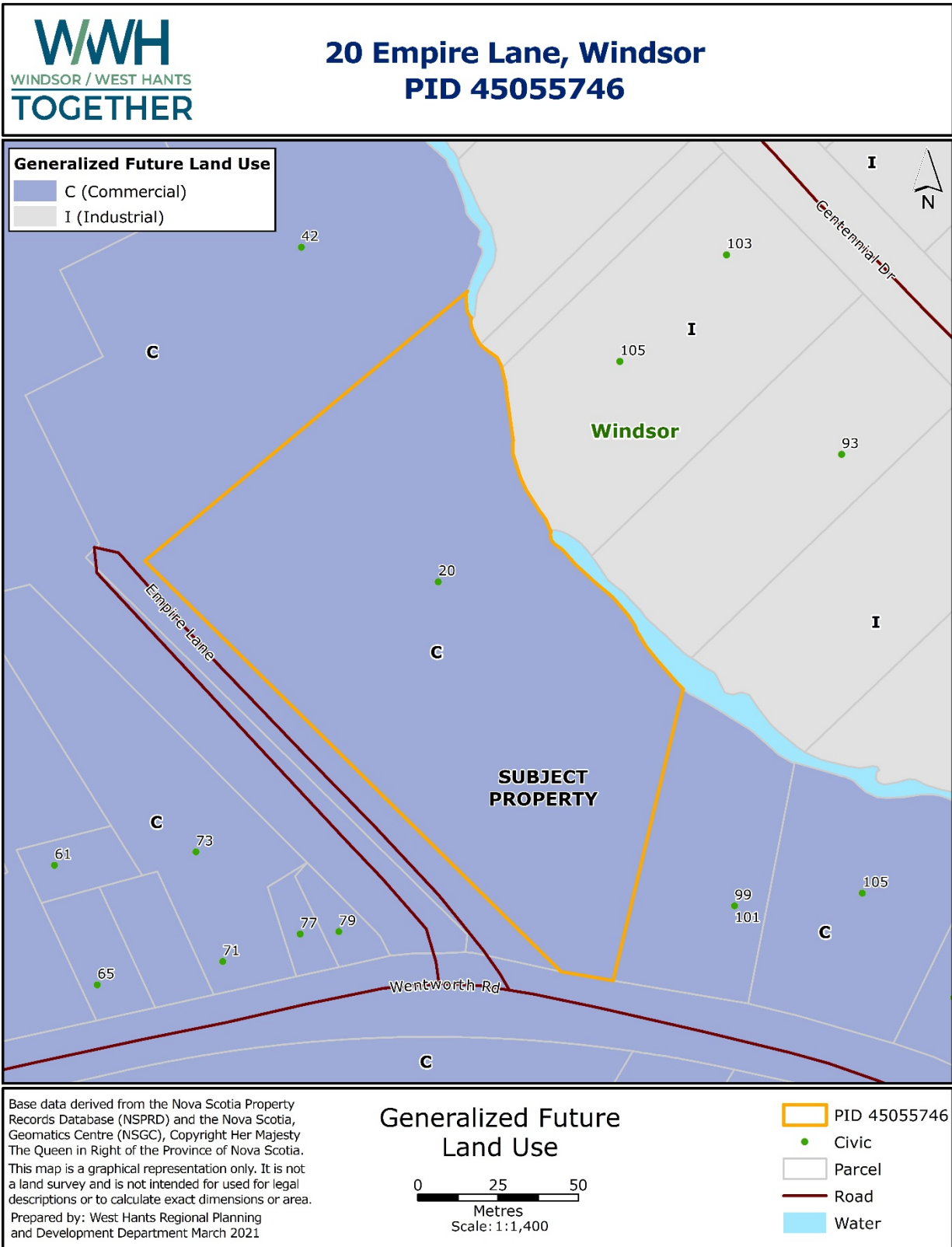
## **ATTACHMENTS**

Figure 1	Windsor GFLUM Extract
Figure 2	Windsor Zoning Map Extract
Figure 3	Windsor Environmental Constraints Extract
Attachment A	Specific Criteria for Amendment
Attachment B	General Criteria for Amendment
Attachment C	Draft Development Agreement

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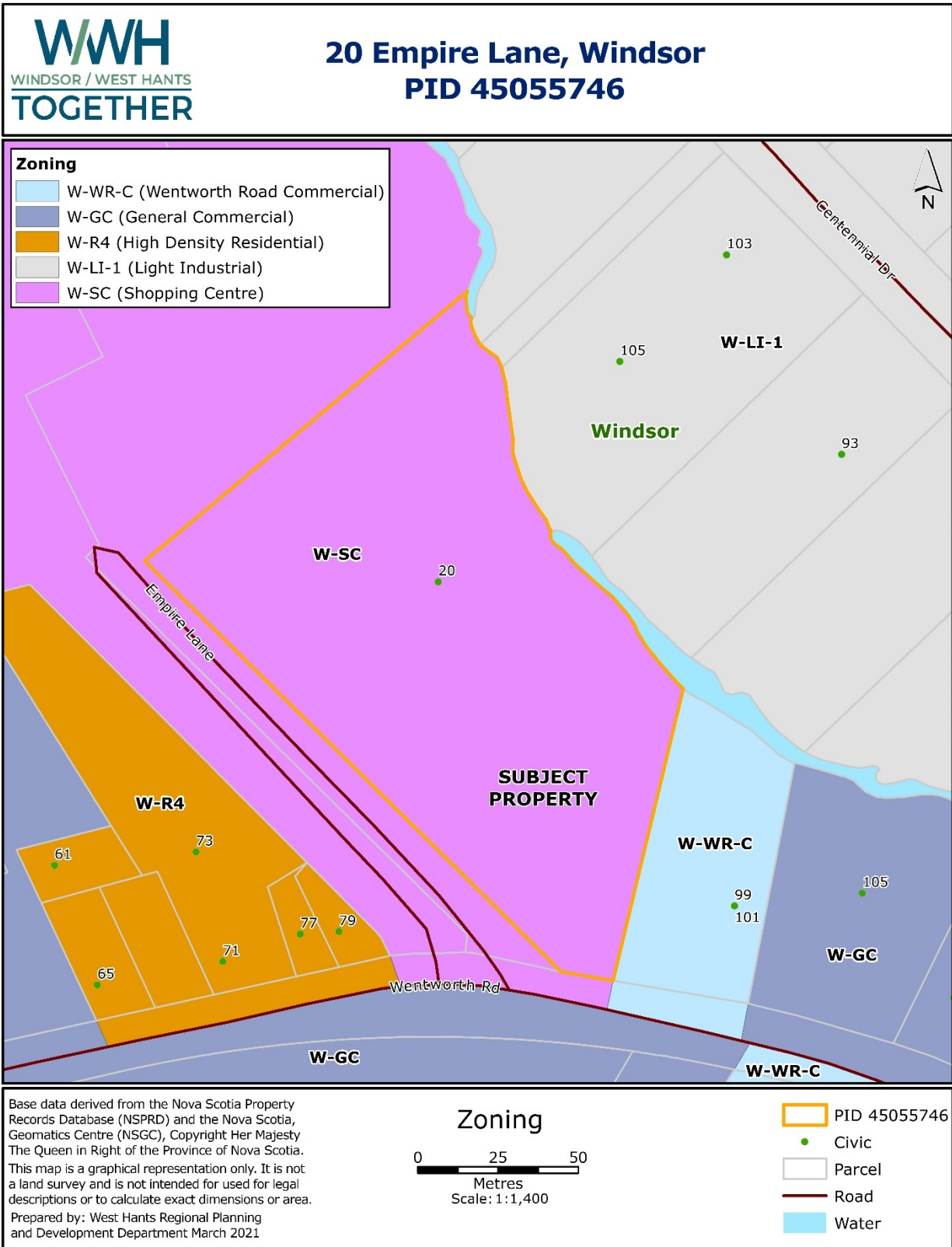
Report Reviewed by: \_\_\_\_\_  
Madelyn LeMay, Director of Planning and Development

**Figure 1**  
**Windsor GFLUM Extract**



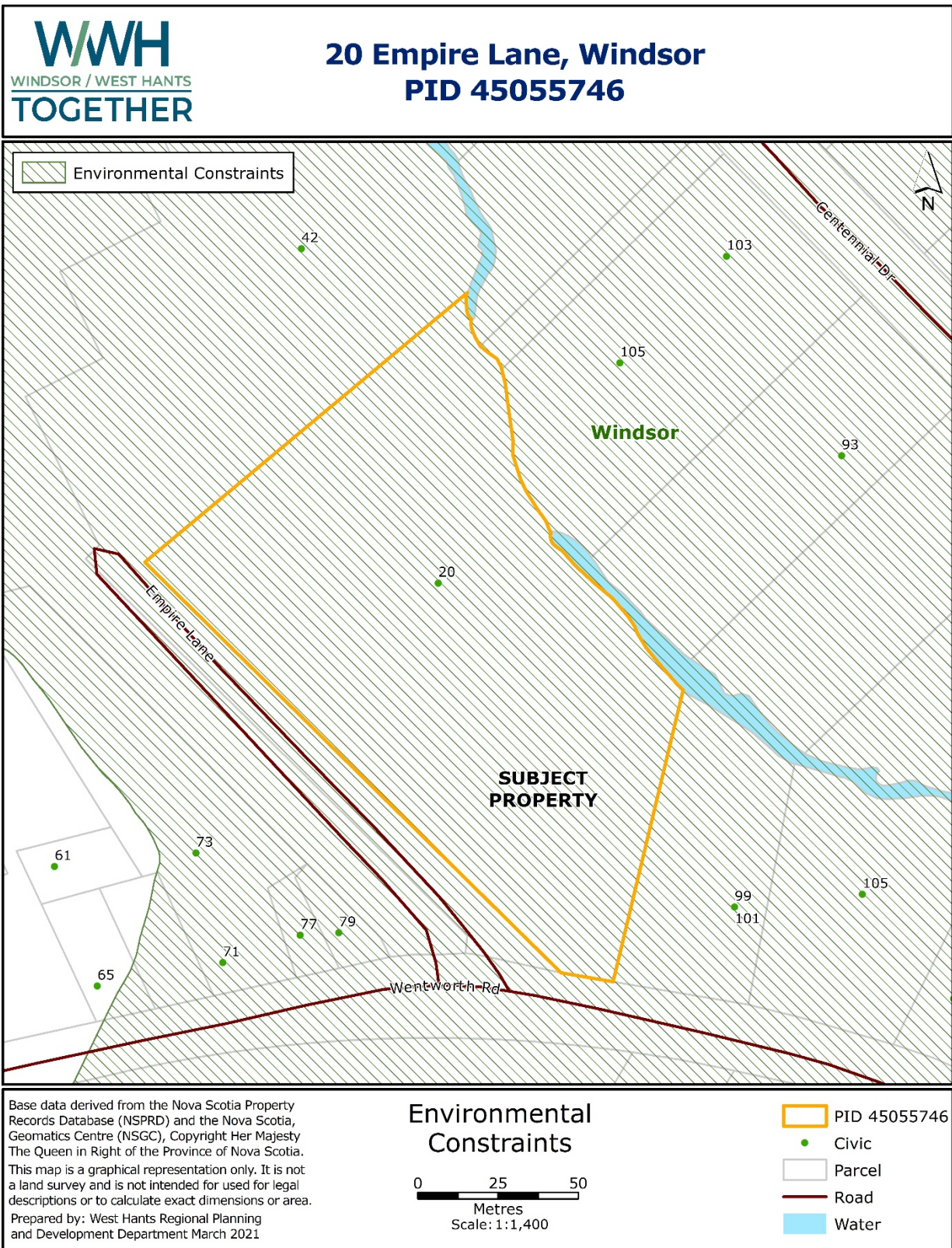


**Figure 2**  
**Windsor Zoning Map Extract**





**Figure 3**  
**Windsor Environmental Constraints Extract**



## Attachment A

### Specific Criteria for Amendment

**Policy 8.6.15** It shall be the policy of Council that within the Wentworth Road Gateway District, Council will consider proposals for large format retail stores exceeding 50,000 ft<sup>2</sup> (4,645 m<sup>2</sup>) in commercial floor area, regional shopping centres, institutional uses, mixed use, multiple unit residential, or light industrial development by development agreement in accordance with the relevant policies of this Strategy and the specific provisions for development in the Wentworth Road Gateway District as contained in Policy 8.6.16.

**Policy 8.6.16** It shall be the policy of Council to have due regard to the following in reviewing proposals in the Wentworth Road Gateway District for rezoning to the WR-C zone pursuant to Policy 8.6.14 or development agreements pursuant to Policy 8.6.15:

<b>CRITERIA</b>	<b>COMMENT</b>
<i>(a) the proposed use will not conflict with neighbouring uses;</i>	<p>The additional three (3) units will be contained within the existing building which will not conflict with neighbouring uses.</p> <p>Upon full residential build out of phase 1 and phase 2 there would be a total of 54 apartments on the subject lot. Staff do not anticipate any conflict with neighbouring uses as the surrounding area is mainly commercial and industrial with some properties zoned High Density Residential (R-4) to the west.</p>
<i>(b) the architectural design and scale of the proposed development is compatible with surrounding commercial and/or residential buildings and enhances the appearance of the streetscape, consistent with the objectives of</i>	<p>There will be minimal exterior changes to the existing building to accommodate the three (3) additional apartments. The design and scale of the building is compatible with the surrounding commercial, industrial and residential zoning.</p>

<p><i>the Wentworth Road Gateway District;</i></p>	<p>The objectives of the Wentworth Road Gateway District are to:</p> <ul style="list-style-type: none"> <li>• to identify Wentworth Road as important entrance route into Windsor, for pedestrians and cyclists as well as for vehicles;</li> <li>• to promote a sense of welcome and arrival to town; and</li> <li>• to assist in visitor orientation and direction to the Town Centre, as the main business district.</li> </ul> <p>The existing building is set back from Wentworth Road. There are a variety of trees and other landscaping elements on the portion of the lot that abuts Wentworth Road. The addition in phase 2 will most likely be of similar design and scale as the existing building which is seen to be compatible with the surrounding area.</p>
<p><i>(c) the building design incorporates windows and other elements in the street level façade to avoid the appearance of solid blank walls;</i></p>	<p>The existing building contains mainly residential uses. All apartment units have windows which are along the exterior of the building. The expansion permitted in Phase 2 also contains residential uses which would incorporate windows for each unit and avoid the appearance of solid blank walls.</p>
<p><i>(d) the developer provides a traffic study, acceptable to the Town and conducted by a qualified person, which demonstrates that the surrounding street network will efficiently accommodate the anticipated traffic flows and that the development will not necessitate major infrastructure improvements such as traffic lights at the expense of the Town;</i></p>	<p>The Manager of Public Works Operations and Traffic Authority was asked to comment on this application. They responded that "Currently there is a traffic study being undertaken for this driveway/street intersection and other surrounding intersections by West Hants Regional Municipality. I'm confident that the DA would not change the outcome of the study or cause the need for major infrastructure improvements based on this alone. I have no concerns about traffic impact due to the development."</p>

	Therefore, staff have not required a traffic study to be provided by the applicant as part of this application.
<i>(e) the provisions of Policies 8.6.4 and 8.6.8;</i>	The provisions of Policy 8.6.4 and 8.6.8 are met as Clause 2.7 of the draft development agreement includes the provisions for landscaping to contribute to the overall attractiveness of the streetscape, create a safe and pleasant pedestrian environment, and to avoid the appearance of uninterrupted expanses of asphalt particularly in Phase 2. There is an existing pedestrian walkway provided on the subject lot from Wentworth Road to the entrance of the existing building as there are no paved sidewalks along Empire Lane.
<i>(f) any other matter which may be addressed in a development agreement or land use by-law; and</i>	All other matters have been addressed elsewhere in this report.
<i>(g) the provisions of Policy 16.3.1</i>	See Attachment B.

**Policy 9.2.1**

It shall be the intention of Council to consider mixed use development by development agreement in the Commercial designation or the Industrial designation outside the industrial parks, subject to the following:

<b>CRITERIA</b>	<b>COMMENT</b>
<i>(a) the proposed development consists of a combination of uses which may include commercial, light industrial, recreational, institutional and residential;</i>	The proposed development consists of a residential development of thirty (30) apartments in phase 1 and twenty four (24) apartments in phase 2, a multipurpose room, a dining room/restaurant, and a hair salon. This would be considered a mix of residential and commercial uses.
<i>(b) the architectural design of the development is sensitive to the existing built form and character of the surrounding area, and in particular:</i>	

<p><i>(i) where the proposal involves the redevelopment of an existing building, the heritage of the building is taken into consideration and any significant architectural elements which contribute to the appearance of the public façade(s) are retained; and</i></p>	<p>There will be minimal exterior changes to the existing building to accommodate the three (3) additional apartments. The subject lot is not within an Architectural Control District and is not a designated heritage property therefore no significant architectural elements of the building have been identified.</p>
<p><i>(ii) if the proposed development is located in an Architectural Control District, the architectural design of the development is reasonably consistent with the provisions of the Architectural Design Manual;</i></p>	<p>Not applicable as the development is not located within an Architectural Control District.</p>
<p><i>(c) the density and scale of the development are compatible with the surrounding area;</i></p>	<p>The additional three (3) units will be contained within the existing building which does not change the density and scale of the development significantly.</p> <p>Upon full residential build out of phase 1 and phase 2 there would be a total of 54 apartments on the subject lot. Staff have no concerns regarding this density and scale of development as the surrounding area is mainly commercial and industrial with some properties zoned High Density Residential (R-4) to the west.</p>
<p><i>(d) the location of the proposed development does not adversely affect the existing pattern of development in the surrounding area, or restrict existing commercial and/or industrial development patterns;</i></p>	<p>The building was constructed in the early 1970's as a motel and a development agreement was entered into in 1998 for the multiple unit dwelling with some commercial uses. The proposed additional three (3) dwelling units will be contained within the existing building. Staff do not consider this development to restrict the</p>



	surrounding commercial or industrial development patterns.
<i>(e) where a light industrial use is proposed, it is not considered obnoxious or incompatible with the proposed residential or commercial components nor with adjacent land uses;</i>	Not applicable as the applicant is not proposing any light industrial uses.
<i>(f) adequate landscaping, open space and natural or artificial buffering is provided;</i>	Clause 2.7 of the draft development agreement includes the provisions for landscaping to ensure there is adequate natural landscaping and buffering on the subject lot.
<i>(g) adequate parking and safe pedestrian and vehicular access to the site is provided;</i>	<p>The Development Officer commented that the original agreement required one (1) parking space per dwelling unit with all residential parking being required adjacent the residential wing of the development. Three (3) additional parking spaces will be required for the three (3) additional dwelling units for a total of thirty (30) parking spaces. The developer indicates that a total of 36 parking spaces will be provided for the 30 dwelling units which is adequate.</p> <p>The Manager of Public Works Operations and Traffic Authority has no concerns regarding vehicular or pedestrian access in relation to this proposal. There is an existing pedestrian walkway provided on the subject lot from Wentworth Road to the entrance of the existing building.</p>
<i>(h) adequate provision is made to minimize conflict with existing residential dwellings with respect to</i>	The only residential dwellings located near the subject lot abut the lot on the west side of Empire Lane. Empire Lane is a two-lane local road with a median

<i>access, parking, noise and hours of operation;</i>	separating the lanes. It is not anticipated that the proposed additional three (3) dwelling units will cause any conflict with these residential dwellings with respect to access, parking and noise. Hours of operation are not discussed in the development agreement as the commercial uses cater mostly to residents within the building and are not anticipated to cause any issues.
<i>(i) no outdoor storage is permitted;</i>	The Windsor Land Use By-law does not define outdoor storage but defines "open storage" as "the outdoor storage of merchandise, goods or inventory of any kind, materials, equipment or other items not intended for immediate sale". Clause 2.13, <i>Outdoor Storage</i> , in the draft development agreement prohibits open storage.
<i>(j) any other matter which may be addressed by development agreement; and</i>	All other matters have been addressed elsewhere in this report.
<i>(k) the provisions of Policy 16.3.1.</i>	See Attachment B.



**Attachment B**  
**General Criteria for Amendment**

**Policy 16.3.1** In considering development agreements and amendments to the Town of Windsor Land Use By-law, in addition to the criteria set out in various policies of this Strategy, Council shall consider:

<b>CRITERIA</b>	<b>COMMENT</b>
<i>(a) whether the proposal is considered premature or inappropriate in terms of:</i>	
<i>(i) the adequacy of sewer and water services;</i>	The Director of Public Works confirmed that the lot is served by adequate municipal water and sewer services.
<i>(ii) the adequacy of school facilities;</i>	Not applicable as the applicant has advised that they market the apartments to seniors.
<i>(iii) the adequacy of fire protection;</i>	In response to an inquiry, the local Fire Chief does "not have any fire related concerns as this renovation work will be under the building permit and fire inspection process". The Manager of Building and Fire Inspection Services stated that the proposal is not premature or inappropriate in terms of the adequacy of fire protection and has no building or fire related concerns.
<i>(iv) the adequacy of road networks adjacent to, or leading to the development; and</i>	The Manager of Public Works Operations and Traffic Authority has no concerns related to the adequacy of road networks adjacent to or leading to the development with this development agreement amendment.
<i>(v) the financial capacity of the Town to absorb any costs relating to the development.</i>	No municipal costs related to this amendment are anticipated.

<p><i>(b) the suitability with any aspect relative to the movement of auto, rail and pedestrian traffic;</i></p>	<p>The Manager of Public Works Operations and Traffic Authority has no concerns about traffic impact due to the development.</p> <p>There is no rail transportation in the area.</p> <p>There is an existing pedestrian walkway provided on the subject lot from Wentworth Road to the entrance of the existing building as there are no paved sidewalks along Empire Lane.</p>
<p><i>(c) the adequacy of the dimensions and shape of the lot for the intended use;</i></p>	<p>The Development Officer has no concerns with respect to the adequacy of the dimensions and shape of the lot for the intended use. The lot is 3.86 acre in size which is large enough to accommodate the proposed buildings and the required parking.</p>
<p><i>(d) the pattern of development which the proposal might create;</i></p>	<p>The surrounding area has a variety of commercial zoning plus some industrial and high-density residential zoning. This proposal is not anticipated to change the pattern of development in the area.</p>
<p><i>(e) the suitability of the area in terms of steepness of grade, soil and geological conditions, location of water courses, marshes or bogs and susceptibility of flooding;</i></p>	<p>The subject lot is relatively flat and there are no evident concerns in terms of steepness of grade, soil or geological conditions.</p> <p>There is a watercourse running along the north east property line.</p> <p>The subject lot is within the Environmental Constraints designation which means that any new construction on the subject lot including the addition to the building for phase 2 would have to meet the requirements of Section 27.0 of</p>

	<p>the WLUB and any other requirements of the Regional Municipality.</p> <p>The Municipal Climate Change Action Plan (MCCAP) for Windsor (2014) shows that most of the community of Windsor including the subject property would experience flooding under a simulated flooding extent for probable maximum flood due to climate change.</p>
<p><i>(f) whether the proposal meets the requirements of the appropriate provincial or federal agencies as well as whether it conforms to all other relevant municipal by-laws and regulations; and</i></p>	<p>All Municipal, Provincial and Federal regulations will have to be met.</p>
<p><i>(g) any other matter required by relevant policies of this Strategy.</i></p>	<p>All other matters have been addressed elsewhere in this report.</p>



## DEVELOPMENT AGREEMENT

**THIS AGREEMENT** made this                      day of                      , 2021.

### **BETWEEN:**

**WEST HANTS REGIONAL MUNICIPALITY**, a body corporate pursuant to the *Municipal Government Act*, having its chief place of business at 76 Morison Drive, Wentworth Creek, in the County of Hants, Province of Nova Scotia,

(Hereinafter referred to as the "Municipality")

OF THE FIRST PART

- and -

**MACLEOD GROUP HEALTH SERVICES LIMITED**, a body corporate, with a head office at Suite 305, 219 Main Street, Antigonish, in the County of Antigonish, Province of Nova Scotia,

(Hereinafter referred to as the "Owner")

OF THE SECOND PART

**WHEREAS** the Owner is the registered owner of a parcel of land located at 20 Empire Lane, Windsor, PID 45055746, hereinafter referred to as the "Property", which lands are more particularly described in Schedule A attached hereto; and

**WHEREAS** the Property is designated Commercial on the Generalized Future Land Use Map of the Windsor Municipal Planning Strategy (September 21, 2005) and zoned Shopping Centre (SC) on the Zoning Map of the Windsor Land Use By-law (September 21, 2005) and is within the Wentworth Road Gateway District and the Environmental Constraints designation; and

**WHEREAS** the Owner has requested that the Municipality discharge a development agreement between Schaffner Enterprises Ltd. and the Town of Windsor to permit residential development, a multipurpose room, a lounge, a dining room / restaurant, and a

hair salon dated March 6, 1998 and recorded at the Land Registry Office on March 10, 1998 and June 24, 1998 as document 900 and 2485; and

**WHEREAS** the Owners have requested to enter into a new development agreement which increases the number of apartments in phase 1 to thirty (30) units in total, changes the layout of the multi-purpose room and lounge to accommodate these three (3) additional units, changes the style of apartments in both phase 1 and 2, and accommodates other minor changes; and

**WHEREAS** Policy 8.6.15 and Policy 9.2.1 of the Windsor Municipal Planning Strategy (the "Municipal Planning Strategy") and Section 6.1 (j) and (l) of the Windsor Land Use By-law (the "Land Use By-law") provide that mixed use, multiple unit residential in the Commercial designation and the Wentworth Road Gateway District be considered by development agreement; and

**WHEREAS** the Council of the Municipality, at a meeting held on **Month Day**, 2021, approved this request;

**NOW THEREFORE THIS AGREEMENT WITNESSETH** that in consideration of the mutual covenants and agreements herein contained, the parties agree as follows:

## **PART 1 AGREEMENT CONTEXT**

### **1.1 Definitions**

In this Agreement, all words or phrases used shall carry their customary meaning unless otherwise set out in the Land Use Bylaw, except those defined as follows:

- (a) "Senior citizen home" means a multiple unit dwelling designed for occupation by senior citizens and constructed and maintained by a public housing authority or non-profit organization;
- (b) "Home for special care" means a dwelling unit where people live together and receive care, and can include a nursing home, a home for the aged, a home for the disabled and a residential care facility as defined in *the Homes for Special Care Act*;

### **1.2 Schedules**

The following attached schedules shall form part of this agreement:

Schedule A – Legal Description

Schedule B – Site Plan A1

Schedule C – Schematic A: New Layout – Floor Plan

### **1.3 Municipal Planning Strategy, Land Use By-law and Subdivision By-law**

- (a) *Municipal Planning Strategy* means the Municipal Planning Strategy of the Town of Windsor, approved on August 23, 2005, as amended, or successor bylaws;
- (b) *Land Use Bylaw* means the Land Use Bylaw of the Town of Windsor, approved on August 23, 2005, as amended, or successor bylaws;
- (c) *Subdivision Bylaw* means the Subdivision Bylaw of the Town of Windsor approved on January 24, 2012, as amended, or successor bylaws.

## **PART 2 DEVELOPMENT REQUIREMENTS**

### **2.1 Use**

The Parties agree that uses on the Property shall be limited to the following:

- (a) those uses permitted by the underlying zoning in the Land Use By-law; and
- (b) residential development:
  - (i) Phase 1: a maximum of thirty (30) apartments consisting of a mix of studio and one (1) bedroom style;
  - (ii) Phase 2 (proposed future expansion): a maximum of twenty-four (24) apartments consisting of a mix of studio, one (1) bedroom and two (2) bedroom style;
- (c) a dining room and restaurant;
- (d) a multipurpose room for the use of the residents, and for special functions associated with the dining room / restaurant such as receptions, meetings, and banquets; and
- (e) a personal service shop.

Except as otherwise provided in this Agreement, the provisions of the Land Use By-law and the Subdivision By-law apply to any development undertaken pursuant to this agreement.

### **2.2 Development Location and Design**

- (a) The Municipality and the Owner acknowledge that the development as shown on Schedule B is a phased development.
- (b) The Phase 1 residential development shall be located entirely within the existing building located as shown on the site plan in Schedule B.
- (b) The Phase 2 residential development shall be developed in a manner consistent with the intent of this development agreement and the Land Use By-law and substantively the same as the "proposed future expansion" shown on Schedule B.

- (c) The commercial components of the development shall be permitted only in the areas noted as dining room, restaurant, multipurpose room, and beauty parlour on Schedule C.
- (d) Commercial floor space shall not exceed 40 percent of the total floor area of the development.

### **2.3 Access and Egress**

- (a) The vehicular entrance and exit for the Property shall be in general conformance with the entrance and exit shown on Schedule B.
- (b) The vehicular entrance and exit shall be clearly demarcated and paved.
- (c) The pedestrian walkway provided from Wentworth Road to the edge of the parking lot at the entrance of the building shall be maintained in general conformance with the walkway shown on Schedule B.

### **2.4 Parking**

- (a) All parking spaces for vehicles using the Property shall be located on the lot and shall be generally located as shown on Schedule B.
- (b) One (1) parking space, at a minimum size of 10 feet by 20 feet, shall be provided for each dwelling unit.
- (c) One parking space, at a minimum size of 10 feet by 20 feet, shall be provided for every 100 ft<sup>2</sup> (9.29 m<sup>2</sup>) of floor area of the multi-purpose room.
- (d) Parking areas and parking spaces shall be paved, clearly demarcated and lined by the Owner.
- (e) Parking required for the residential component shall be clearly separated from other parking in the area and demarcated by signage as being for the use of residents only.
- (f) The number of parking spaces and loading spaces may be varied by the Development Officer.

### **2.5 Signs**

- (a) The Owner shall be permitted two (2) ground signs on the lot.
- (b) The ground signs shall not:
  - (i) exceed a height of 15 ft. (4.57 m) from the grade level to the highest part of the sign;
  - (ii) exceed 50 sq. ft. (4.62 m);
  - (iii) be located within 75 ft. (22.86 m) from a residential dwelling unit on the lot; or
  - (iv) be illuminated.

## **2.6 Lighting**

Exterior lighting for driveways, parking areas, signs or structures shall be shielded and directed downward to ensure there is no light spilling, glare or light cast over neighbouring properties or the street.

## **2.7 Landscaping**

The Owner shall:

- (a) keep all undeveloped areas of the Property landscaped;
- (b) include tree cover as part of the landscaping along the south Property line abutting Wentworth Road, at a maximum spacing of 20 ft. (6.09 m), each tree having a minimum caliper of 2 inches. Existing trees may be included as part of the requirement;
- (c) along the eastern Property line provide either:
  - (i) built screening, and a combination of trees, shrubs, and vegetative ground cover to produce a visual barrier at least 5 ft. (1.5 m) high and 5 ft. (1.5 m) wide; or
  - (ii) a combination of shrubs, trees and vegetative ground cover to produce a visual barrier at least 5 ft. (1.5 m) wide;where trees are to be a minimum of 5 ft. (1.5 m) in height, at a maximum spacing of 10 ft. (3.05 m), and shrubs a minimum of 1.5 ft. (0.5 m) in height.
- (d) include landscaping within parking areas required for Phase 2 to avoid the appearance of large, uninterrupted expanses of asphalt.

## **2.8 Servicing**

### **(a) Waste Collection**

- (i) The Owner shall make provision for municipal waste collection for the Property at the intersection of the private driveway and Empire Lane.
- (ii) The Owner shall keep any outdoor storage of garbage in an enclosed structure or in some way adequately screened so as not to be visible from nearby properties and abutting roads and it shall not be located closer than 10 ft. (3.05 m) to an abutting property.

### **(b) Water and Sewer Services**

The Owner acknowledges that:

- (a) the Property is served by a private water main that services the Fort Edward Mall;
- (b) that the private sewer lateral serving the building has been noted by the Director of Public Works as having had problems which have resulted in regular cleaning being required;



- (c) prior to a development permit being issued by the Municipality, the Owner must provide verification that the Owner's Engineer has checked to ensure that the private sewer lateral is capable of servicing the proposed development;
- (d) if the private sewer lateral is not capable of servicing the proposed development, any costs necessary to upgrade the service are the responsibility of the Owner.

## **2.9 Environmental Constraints Area**

The Property is located within the Environmental Constraints designation in Windsor.

- (a) For any new buildings, including the development of Phase 2, or any new accessory buildings larger than 800 ft<sup>2</sup> (74.32 m<sup>2</sup>) in total floor area, the developer must complete an environmental study, in accordance with Section 27.0 of the Windsor Land Use By-law, and submit the study to the Development Officer prior to the issuance of development and building permits for the proposed use.
- (b) The Development Officer and/or the Municipality's Building Official may refuse a permit for such new buildings if the Owner's application does not incorporate compliance with the flood proofing or other construction methods recommended by the environmental study.
- (c) In accordance with Section 27.2 of the Windsor Land Use By-law, where a building has been constructed using flood proofing measures or other construction methods in accordance with a required environmental study, any future alterations or additions shall also follow the construction methods set out in the environmental study.
- (d) No building shall be used for:
  - (i) a residential institution such as a hospital, senior citizen home, home for special care or similar facility where flooding could pose a significant threat to the safety of residents if evacuation became necessary; or
  - (ii) any use associated with the warehousing or the production of hazardous materials.

## **2.10 Subdivision**

No alterations to the lot configuration are permitted except those required by the Municipality for the purpose of creating or expanding open space within the Property or those required by the road authority for the purpose of creating or expanding a public street over the Property.

## **2.11 Maintenance**

- (a) The Owner shall keep the Property and buildings and any portion thereof clean and in good repair. Any driveways, fences, lawns, trees, shrubs,

walkways and other landscaping elements shall be regularly maintained and kept in a tidy state and free from unkempt materials or matter of any kind.

- (b) The Owner shall maintain the driveway to a level adequate to allow for access by emergency services vehicles.

## **2.12 Phased Development**

- (a) The Municipality and the Owner acknowledge that the development as shown on Schedule B is a phased development.
- (b) The Owner agrees to construct each phase of the development in conformity with the Plans attached hereto.
- (c) Phase 1 shall include the completion of:
  - (i) the pedestrian walkway from Wentworth Road to the Main Entry as identified on Schedule B; and
  - (ii) the landscaping required along the lot line as specified in Section 2.7 (b) and (c) of this Agreement.
- (d) Phase 2 shall include a new pedestrian walkway ending from the walkway completed in Phase 1, to the 'Future Entry', shown on Schedule B.

## **2.13 Outdoor Storage**

The outdoor storage of merchandise, goods or inventory of any kind, materials, equipment or other items not intended for immediate sale will be prohibited.

## **PART 3 CHANGES AND DISCHARGE**

- 3.1** The Owner shall not vary or change the use of the Property from that provided for in Section 2.1 of this Agreement, *Use*, unless a new agreement is entered into with the Municipality, or this agreement is amended.
- 3.2** Any matters in this agreement which are not specified in Subsection 3.3 below are not substantive matters and may be changed with the written consent of Council without a public hearing provided that Council determines that the changes do not significantly alter the intended effect of these aspects of this agreement.
- 3.3** The following matters are substantive matters:
  - (a) the uses permitted on the Property as listed in Section 2.1 *Use* of this Agreement.
- 3.4** Upon conveyance of land by the Owner to either:
  - (a) the road authority for the purpose of creating or expanding a public street over the Property; or
  - (b) the Municipality for the purpose of creating or expanding any municipally owned facility over the Property;

registration of the deed reflecting the conveyance shall be conclusive evidence that that this agreement shall be discharged as it relates to the public street or public facility, as the case may be, as of the date of registration with the Land Registry Office, but this Agreement shall remain in full force and effect for all remaining portions of the Property.

- 3.5** Notwithstanding the foregoing, discharge of this agreement is not a substantive matter and this agreement may be discharged by Council without a public hearing.
- 3.6** Notice of Intent to Discharge this Agreement may be given by the Municipality to the Owner following a resolution of Council to give such Notice:
- (a) as provided for in Section 4.1, *Commencement of Development*, of this Agreement; or
  - (b) at the discretion of the Municipality, with or without the concurrence of the Owner, where the Development has, in the reasonable opinion of Council on advice from the Development Officer, ceased operation for a period of at least twenty-four (24) months; or
  - (c) at any time upon the written request of the Owner, provided the use of the Property is in accordance with the Land Use By-law or a new Agreement has been entered into.
- 3.7** Council may discharge this Agreement thirty (30) days after a Notice of Intent to Discharge has been given.

## **PART 4 IMPLEMENTATION**

### **4.1 Commencement of Development**

- (a) The Owner may not commence any construction or use on the Property until the Municipality has issued any development permit, building permit and/or occupancy permit that may be required.
- (b) Development as provided in Part 2 of this Agreement shall commence not later than twenty-four (24) months from the date this Agreement is signed. If, in the opinion of the Development Officer, this time limit has not been met, this Agreement may be discharged at the option of the Municipality by resolution of Council in accordance with Section 229 of the Municipal Government Act thirty (30) days after giving Notice of Intent to Discharge to the Owner. Upon the written request of the Owner, the Municipality, by resolution of Council, may grant an extension to the date of commencement of development without such an extension being deemed to be an amendment to this Agreement.
- (c) If the Owner is bona fide delayed from commencing the development for reasons which are beyond the Owner's control, the determination of which shall be at the sole discretion of the Development Officer, then performance by the Owner is excused for the period of the delay and the time period for

the Owner to perform their obligations shall be extended by the Development Officer in writing for an equivalent period, without such an extension being deemed to be an amendment to this Agreement.

- (d) Development of Phase 2 shall commence not later than sixty (60) months from the date this Agreement is signed. If, in the opinion of the Development Officer, this time limit has not been met, development of Phase 2 shall no longer be permitted and this Agreement may be discharged in part at the option of the Municipality by resolution of Council in accordance with Section 229 of the Municipal Government Act thirty (30) days after giving Notice of Intent to Discharge to the Owner. Upon the written request of the Owner, the Municipality, by resolution of Council, may grant an extension to the date of commencement of development without such an extension being deemed to be an amendment to this Agreement.

#### **4.2 Material to be Provided**

- (a) The Owner shall provide record drawings to the Development Officer for any portion of the development for which an engineered design is required, within ten (10) days of completion of any work which requires the engineered design.
- (b) The Owner shall, upon written request, provide the Municipality with copies of any documentation, permits or approvals required by Provincial or Federal governments or agencies.

### **PART 5 ADMINISTRATION and COMPLIANCE**

#### **5.1 Compliance with Other Bylaws and Regulations**

- (a) Nothing in this Agreement shall exempt the Owner from complying with Federal, Provincial and Municipal laws, by-laws and regulations in force or from obtaining any Federal, Provincial, or Municipal license, permission, permit, authority, or approval required thereunder.
- (b) Where the provisions of this Agreement conflict with those of any by-law of the Municipality applicable to the Property (other than the Land Use By-law to the extent varied by this Agreement) or any statute or regulation, the higher or more stringent requirements shall prevail.

#### **5.2 Severability of Provisions**

The provisions of this Agreement are severable from one another and the invalidity or unenforceability of one provision shall not affect the validity or enforceability of any other provision.

#### **5.3 Interpretation**

- (a) Where the context requires, the singular shall include the plural and the masculine gender shall include the feminine and neutral gender.

- (b) Where the written text of this Agreement conflicts with information provided in the Schedules attached to this Agreement, the written text of this Agreement shall prevail.
- (c) References to particular sections of statutes and bylaws shall be deemed to be references to any successor legislation and bylaws even if the content has been amended, unless the context otherwise requires.

#### **5.4 Municipal Responsibility**

- (a) The Municipality does not make any representations to the Owner about the suitability of the Property for the development proposed by this agreement. The Owner assumes all risks and must ensure that any proposed development complies with this Agreement and all other laws pertaining to the Development.
- (b) Any failure of the Municipality to insist upon a strict performance of any requirements or conditions contained in this Agreement shall not be deemed a waiver of any rights or remedies that the Municipality may have and shall not be deemed a waiver of any subsequent breach or default in the conditions or requirements contained in this Agreement.

#### **5.5 Breach of Terms or Conditions**

Upon breach of any term or condition of this Agreement, the Municipality may notify the Owner in writing. In the event that the Owner has not cured any such breach or entered into arrangements with the Municipality related to such breach to the Municipality's satisfaction, acting reasonably, within six (6) months of such notice then the Municipality may rely upon the remedies contained in Section 264 of the *Municipal Government Act* and may enter the land and perform any of the terms contained in the Development Agreement, or take such remedial action as is considered necessary to correct a breach of the Agreement, including the removal or destruction of anything that contravenes the terms of the Agreement and including decommissioning the site. It is agreed that all reasonable expenses, whether arising out of the entry on the land or from the performance of the terms, are a first lien on the land that is the subject of the Development Agreement.

#### **5.6 Costs**

The Owner shall pay all costs associated with the advertising required for this Agreement, the costs of registering this Agreement, and all costs associated with any amendment thereof.

#### **5.7 Development Agreement Bound to Land**

This Agreement shall be binding upon the parties hereto and their heirs, executors, administrators, successors and assigns, and shall run with the land which is the subject of this Agreement until such time as it is discharged by the Municipality in accordance with Section 229 of the *Municipal Government Act*.

## 5.8 Assignment of Agreement

The Owner may, at any time and from time to time, transfer or assign this Agreement and its rights hereunder and may delegate its obligations hereunder to an assign, successor, heir, or purchaser of the land bound by this Agreement.

## 5.9 Written Notice

- (a) The Municipality may serve notice on the Owner personally or by ordinary mail which shall be deemed to have been received within three (3) business days of mailing, addressed to Suite 305, 219 Main Street, Antigonish, or at any other address provided by the Owner.
- (b) The Owner may serve notice on the Municipality by registered mail addressed to the Chief Administrative Officer, Municipality of the District of West Hants, 76 Morison Drive, P.O. Box 3000, Windsor, NS, B0N 2T0, or at any successor address provided by the Municipality to the Owner.

## 5.10 Full Agreement

This agreement replaces and discharges the development agreement dated March 6, 1998 between the Town of Windsor and Schaffner Enterprises Ltd. recorded at the Registry of Deeds in Hants County, Nova Scotia on March 10, 1998 in Book 829 at pages 210 as document #900 and on June 24, 1998 in Book 837 at pages 283 as document #2485, such that the sole development agreement applicable to the lands described in Schedule A attached hereto is this agreement.

**IN WITNESS WHEREOF** this Agreement was properly executed by the respective parties hereto on the day and year first above written.

### SIGNED, SEALED AND DELIVERED

In the presence of:

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Witness

) **WEST HANTS REGIONAL MUNICIPALITY**

)

)

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)

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Per: \_\_\_\_\_

)

)

) Per: \_\_\_\_\_

)

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)

)

)

)

, Municipal Clerk

)  
)  
) **MACLEOD GROUP HEALTH SERVICES  
LIMITED**

)  
)  
)  
)

Per: \_\_\_\_\_  
) Ramsay Duff, Chief Executive Officer

)  
)  
)  
)

\_\_\_\_\_  
Witness

**PROVINCE OF NOVA SCOTIA  
COUNTY OF HANTS**

**ON THIS**            day of            , A.D. 2020, before me, the subscriber, personally came and appeared            , a subscribing witness to the foregoing Indenture, who, having been by me duly sworn, made oath and said that **WEST HANTS REGIONAL MUNICIPALITY**, one of the parties thereto, caused the same to be executed in its name and on its behalf and its corporate seal to be thereunto affixed in h            presence.

\_\_\_\_\_  
A Commissioner of the Supreme Court of Nova Scotia

**PROVINCE OF NOVA SCOTIA  
COUNTY OF HANTS**

**ON THIS**            day of            , A.D. 2020, before me, the subscriber, personally came and appeared            , a subscribing witness to the foregoing Indenture, who, having been by me duly sworn, made oath and said that, one of the parties thereto, signed, sealed and delivered the same in h            presence.

\_\_\_\_\_  
A Commissioner of the Supreme Court of Nova Scotia

AFFIDAVIT OF CLERK  
WEST HANTS REGIONAL MUNICIPALITY

I, \_\_\_\_\_ of \_\_\_\_\_, Hants County, Nova Scotia make oath and swear that:

1. I am the Clerk of the West Hants Regional Municipality (The "Municipality") and I have personal knowledge of the matters to which I have sworn in this Affidavit.
2. The Municipality is a body corporate pursuant to the Municipal Government Act, S.N.S. 1988, c.18, as amended.
3. I acknowledge that the Municipality executed the attached Instrument by its proper designates duly authorized in that regard under seal on the date of this Affidavit pursuant to subsection 13(3) of the Municipal Government Act, S.N.S. 1988, c.18, as amended. This acknowledgement is made pursuant to subsection 31(a) of the Registry Act, R.S.N.S. 1989, c.392 and/or clause 79(1)(a) of the Land Registry Act, S.N.S. 2001, c.6, as amended, for the purpose of registering or recording the Instrument.
4. The Municipality is resident in Canada for the purposes of the Income Tax Act (Canada).

Sworn before me at \_\_\_\_\_, Nova Scotia,  
this \_\_\_\_\_, 2021.

\_\_\_\_\_  
A BARRISTER/COMMISSIONER OF THE  
SUPREME COURT OF NOVA SCOTIA  
Print name/affix seal

\_\_\_\_\_, Clerk

I CERTIFY that on this date \_\_\_\_\_ personally came before me and swore under oath the foregoing Affidavit.

\_\_\_\_\_  
A BARRISTER/COMMISSIONER OF THE  
SUPREME COURT OF NOVA SCOTIA  
Print name/affix seal



Canada  
Province of Nova Scotia

### AFFIDAVIT & PROOF OF EXECUTION (CORPORATE)

I, Ramsay Duff, Nova Scotia, make oath and say that:

1. I am Ramsay Duff, Chief Executive Officer of MacLeod Group Health Services Limited, the "Corporation". Except as otherwise stated I have personal knowledge of the matters to which I have sworn in this Affidavit.
2. I acknowledge that I executed the foregoing instrument on behalf of the Corporation on the date of this affidavit; this acknowledgment is made for the purpose of registering such instrument pursuant to s.31(a) of the Registry Act, R.S.N.S. 1989, c.392 or ss.79 and 83 of the Land Registration Act as the case may be.
3. I verify that I have the authority to execute the foregoing instrument on behalf of the corporation and thereby bind the Corporation.
4. The Corporation is a resident of Canada under the Income Tax Act (Canada).
5. The ownership of a share or an interest in a share of the Corporation does not entitle the owner of such share or interest in such share to occupy a dwelling owned by the Corporation.

I certify that on this **Month Day**, 2021 the Deponent came before me, made oath, and swore the foregoing affidavit at \_\_\_\_\_, Nova Scotia.

Print Name:

Authority (e.g. Commissioner of Oaths):  
Please affix seal

**Schedule 'A'**  
**Legal Description – PID 45055746**

MUNICIPALITY: Town of Windsor

DESIGNATION OF PARCEL ON PLAN: Lot C1 and Lot C2 (as an addition)

TITLE OF PLAN: Plan Showing Lands of Fort Edward Shopping Mall Ltd.

REGISTRATION DISTRICT: Hants County

REGISTRATION REFERENCE: P-2816

Lot C-2 was approved as an addition to Lot C-1.

The above described lot more fully described as C-1 and C-2 in the deed registered in the registration district of Hants County in Book 676 at page 27.

SUBJECT TO a water line maintenance easement as contained in the deed registered in the registration district of Hants County in Book 305 at Page 145.

ALSO SUBJECT TO a 15' wide right of way as contained in the deed registered in the registration district of the County of Hants in Book 406 at Page 149.

AND ALSO SUBJECT TO the right of way contained in the deed registered in the registration district of the County of Hants in Book 406 at Page 306.

AND ALSO SUBJECT TO restrictive covenants as contained in the deed registered in the registration district of the County of Hants in Book 305 at 145.

AND ALSO SUBJECT TO a Development Agreement with the Town of Windsor dated March 6, 1998 and registered March 10, 1998 at the Hants County Registry of Deeds in Book 829 at Page 210 as Document # 900 and re-registered June 24, 1998 in Book 837 at Page 283 as Document # 2485.

TOGETHER WITH a roadway easement and Restrictive Covenants contained in the deed registered in the registration district of the County of Hants in Book 305 at Page 145.

\*\*\* Municipal Government Act, Part IX Compliance \*\*\*

Compliance:

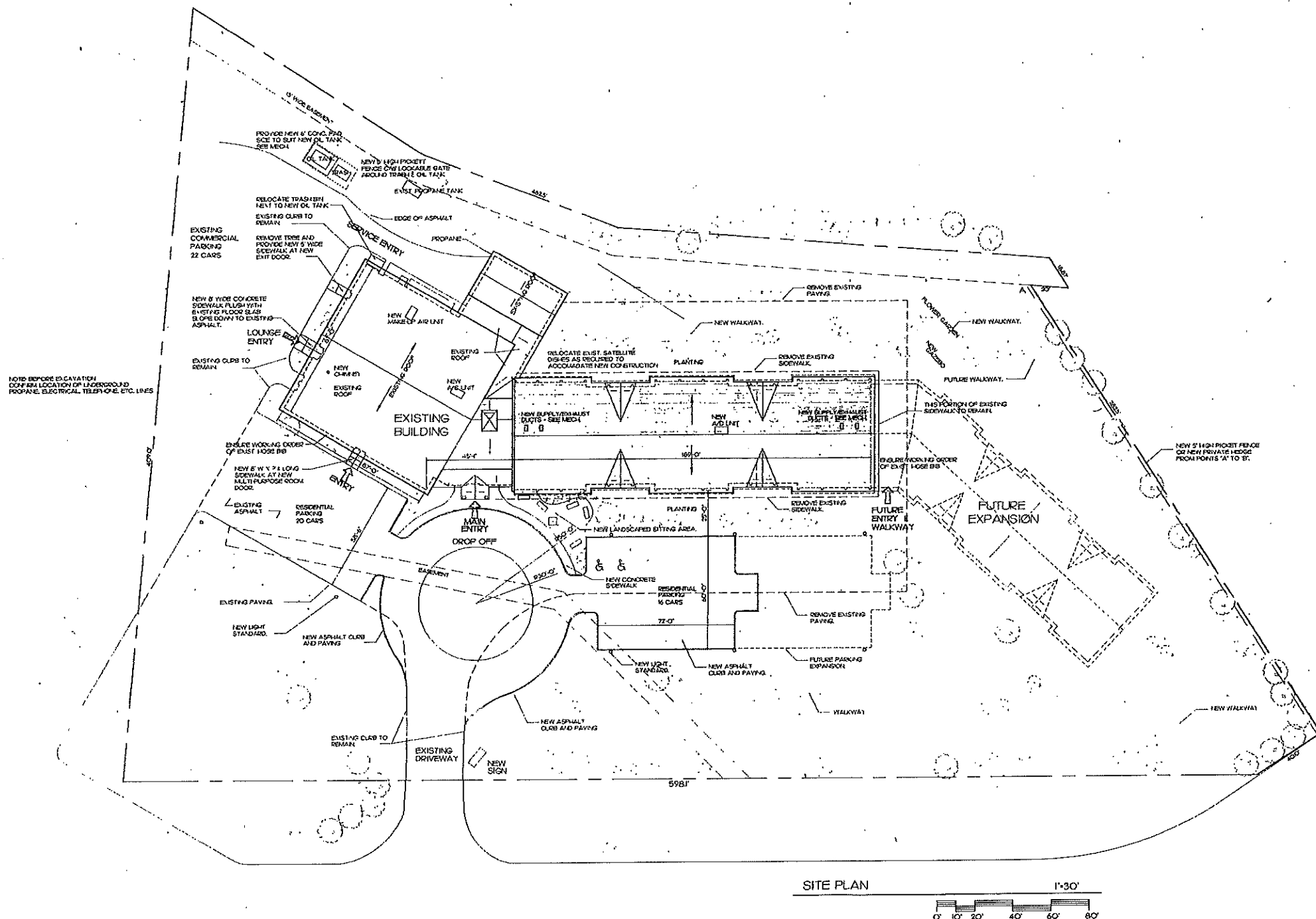
The parcel is created by a subdivision (details below) that has been filed under the Registry Act or registered under the Land Registration Act

Registration District: HANTS COUNTY

Registration Year: 1979

Plan or Document Number: 2816

Schedule B - Site Plan A1



KASSNER  
GOODSPEED  
ARCHITECTS

56-55 CORNWALLIS STREET SITE 7  
HALFAX, N.S. B3K 1B6 402-422-0057

NOTE:  
SITE BOUNDARY INFORMATION TAKEN  
FROM A SURVEY PREPARED BY BRUCE L. LANE,  
N.S.L.S., DATED AUGUST 8, 1997 AND WITH  
WHOM RESTS SOLE RESPONSIBILITY FOR  
ITS ACCURACY.

CONFIRM DIMENSIONS OF EXISTING BUILDING  
ASSEMBLIES ON SITE.

NO.	REVISIONS	BY/DATE
1		11/11/00

DESIGN	KR/CAI
FILE	97SWA01SITE
DRAWN	
APPROVED	

KINGSWAY GARDENS  
WINDSOR,  
NOVA SCOTIA

OWNER: SCHAFFNER ENTERPRISES LTD.

SITE PLAN.

SCALE

1" = 30'

PLOT DATE

08/01/28

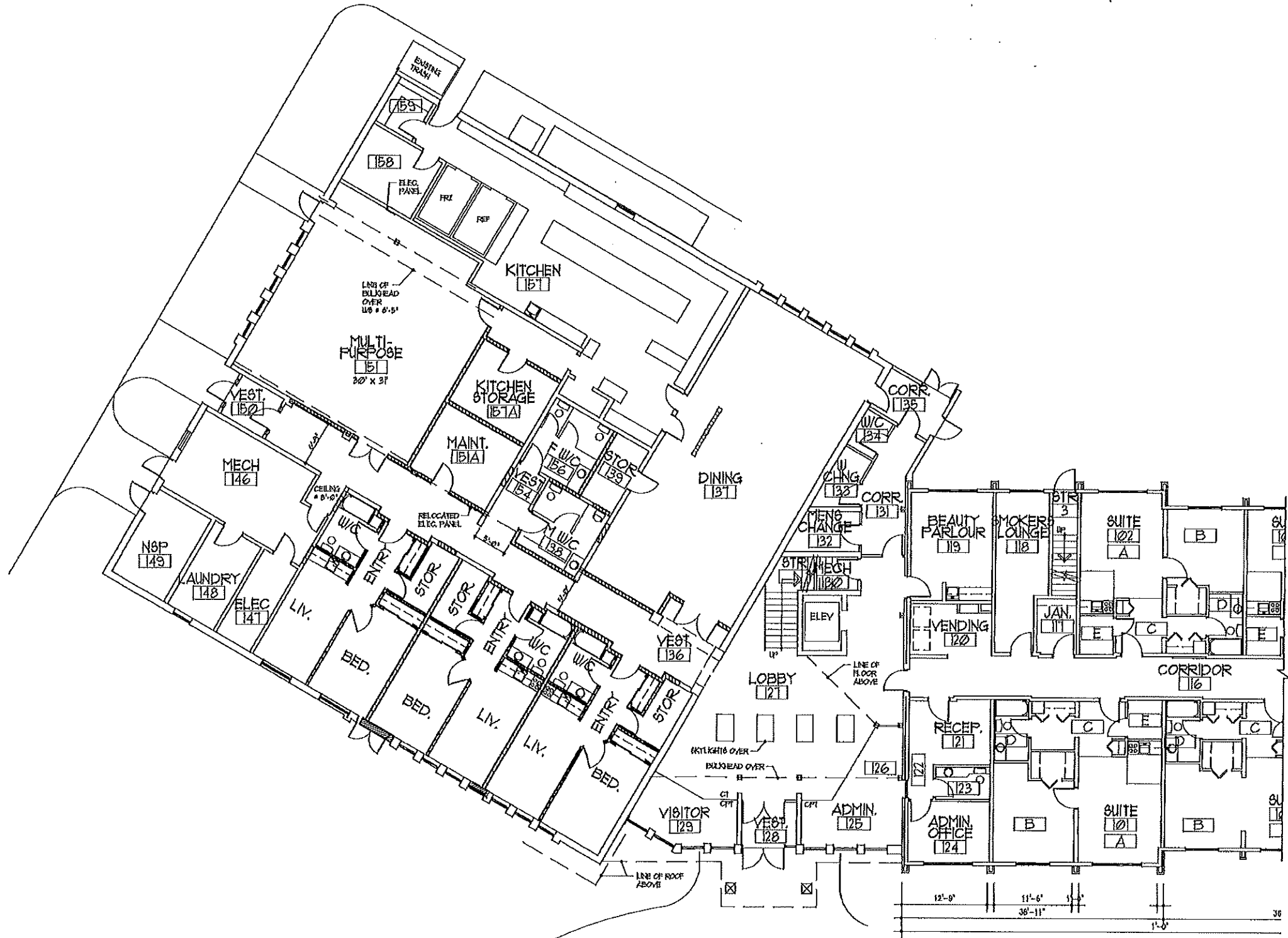
PROJECT NO.

9715

A1

- LIST OF DRAWINGS
- A1 SITE PLAN
  - A2 MAIN FLOOR PLAN - PART A
  - A3 UPPER FLOOR PLAN - PART A
  - A4 FLOOR PLANS - PART B
  - A5 ELEVATIONS
  - A6 BUILDING SECTIONS
  - A7 BUILDING ASSEMBLIES
  - A8 SUITE PLANS
  - A9 WALL & STAIR SECTIONS
  - A10 WASHROOM & CLOSET DETAILS
  - A11 DETAILS
  - A12 FINISH SCHEDULE
  - A13 WINDOW SCHEDULE
  - A14 DOOR SCHEDULE

SCHEMATIC A:



301

NEW LAYOUT  
MULTI-PURPOSE RENOVATION  
SCALE: 1/8" = 1'-0"

Wall Legend

- EXISTING WALL TO REMAIN
- EXISTING TO BE REMOVED
- NEW WALL

NOTE:  
DIMENSIONS TO CENTRE LINE OF WALL  
UNLESS NOTED OTHERWISE

1	REVISION	DATE
1	REVISION	DATE

architect & interior  
architects ltd.  
P.O. BOX 100, ALEXANDRIA, NOVA SCOTIA

PROJECT  
**MACLEOD HOUSE**  
70 EMPIRE LANE  
WINDSOR, NOVA SCOTIA

DRAWING  
**FLOOR PLANS**

SCALE 1/8" = 1'-0"	DATE JAN 2021
DRAWN C.L.C.	REVIEWED

REAL

CONSULTANT'S NO.	DRAWING NO.
PROJECT NO.	301
856	



## WEST HANTS REGIONAL MUNICIPALITY REPORT

Information <input type="checkbox"/>	Recommendation	Decision Request x	Councillor Activity <input type="checkbox"/>
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**To:** Mayor Zebian and Members of West Hants Regional Municipality Council

**Submitted by:** \_\_\_\_\_  
Madelyn LeMay, Director, Planning and Development

**Date:** July 27, 2021

**Subject:** File # 21-08D: Windsor Development Agreement 233 Gray Street and Abutting Lot

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### LEGISLATIVE AUTHORITY

Municipal Government Act Section 210.

### POSSIBLE MOTION

Following conclusion of the Public Hearing on September 28, should Council wish to enter into the proposed development agreement, the following motion would be in order:

... that Council enter into a development agreement to permit the required parking for two fifteen-unit apartment buildings, located on 233 Gray Street, PID 45059938 and the abutting lot, PID 45354065, to be located in a manner substantively the same as described in the draft set out in Attachment A of the report to the Planning and Heritage Advisory Committee regarding File 21-08 dated June 10, 2021.

### BACKGROUND

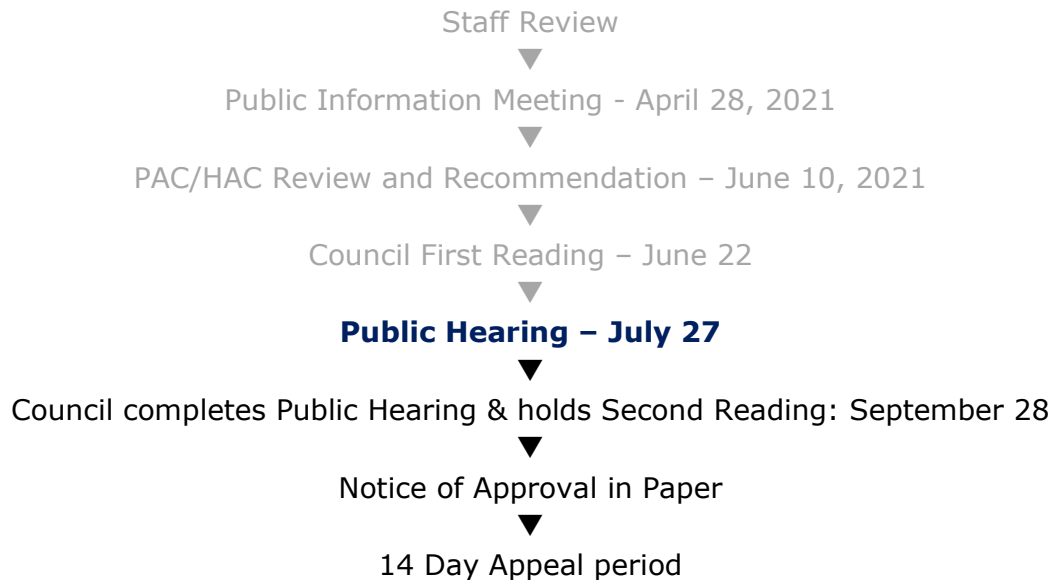
Property <input checked="" type="checkbox"/>	Public Opinion <input type="checkbox"/>	Environment <input type="checkbox"/>	Social <input type="checkbox"/>	Economic <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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A Public Information Meeting was held on April 28, 2021 (Attachment A).

On June 10, 2021 staff presented a recommendation report to the Planning and Heritage Advisory Committee (PAC/HAC) (Attachment B) and PAC/HAC made a positive recommendation to Council.

Council held First Reading on June 22, 2021 and set the date for a public hearing.

## **NEXT STEPS**



## **ATTACHMENTS**

Attachment A	Public Information Meeting Notes – File 21-08A
Attachment B	Staff Report Secondary Suites - File #21-08
Attachment C	First Reading Report – File # 21-08B
Attachment D	Proposed Development Agreement

Report Prepared by: \_\_\_\_\_  
Madelyn LeMay, Director of Planning and Development

Report Approved by:  \_\_\_\_\_  
Mark Phillips, CAO

**ATTACHMENT A****Public Information Meeting Notes****April 28, 2021- May 11, 2021****File 21-08A****233 Gray Street and Abutting Lot PID # 45354065**

<b>Meeting date and time</b>	A public information meeting was held on April 28, 2021 beginning at 7 p.m. The meeting was broadcast live on the Municipal Facebook page.
<b>File Number</b>	21-08 A
<b>Attending</b>	Councillor Jim Ivey, PIM Chair Madelyn LeMay, Director, Planning and Development Sara Poirier, Planner John Salah, Applicant Xhavid Kuka, Owner Jani Mroshaj , Owner As this meeting was held virtually there were no members of the public present.
<b>Applicant</b> John Salah, Quadra Engineering Agent  3332758 Nova Scotia Limited Xhavid Kuka, President Jani Mroshaj, Vice President	Ms. LeMay outlined the application for a development agreement to permit a portion of the parking required for 233 Gray Street to be located on the abutting vacant lot, PID 45354065.  A presentation was not made by the applicant.
<b>Comments</b>	Written comments were received from four (4) individuals: <ul style="list-style-type: none"><li>• three individuals thought the development agreement was for an apartment building which is permitted as-of-right; all of their comments or questions were about the apartment building;</li><li>• 2 individuals requested digital copies of the plan for the parking lot;</li><li>• 1 individual indicated there is no point in meeting if changes might be made after the PIM;</li><li>• 1 individual was not opposed to the parking arrangements;</li><li>• 1 individual had questions but no comments</li></ul>
<b>Adjournment</b>	The presentation portion of the PIM ended at approximately 6:15 p.m.; comments could be submitted by the public by mail, drop-off at the Municipal Office, e-mail and telephone to Ms. LeMay until May 11, 2021.
<b>Attachment A</b>	PIM Submissions



**ATTACHMENT A**

**PIM Submissions: 233 Gray Street**

**Received April 21 to May 11, 2021**

**Compiled May 12, 2021**

**From: Garth Hancock**

Sent: Wednesday, April 21, 2021 12:58 PM

To: Madelyn LeMay <MLeMay@westhants.ca>

Subject: 233 Gray St

please e-mail me a legible copy of the proposed parking plan

Second - why is a red line shown on the picture of Wagners court I'm not aware of any road on that property

Yes I can see this plan not like the one mailed out. What is the sense of a meeting if you change things after?. I notice a 15' sideline set back but balconies extend out within the 15'. What is the required sideline setback.

The developer will get as much as he can get away with ,the come back and ask for changes to get more. All we can do as is try to keep things as allowed and try not to have the Municipality give things that are not as of right. The meetings are just a waste of time process for the neighbours after the meeting it is the Municipality that will tow the line or sell us out. I will see if I can find the requirements for R-4 if I can not I will ask you where to find them.

Due to Covid we will not be attending any public meetings. I understand the specks will change after the meeting so the meeting seems pointless anyway.

Please accept my comment as any input I would of given at a meeting.

What people want is as low of a building as possible - The most green space possible abutting their property as possible and as much privacy from the building as possible.

Please note The notice of this meeting sent to the public contained incorrect information the plan mailed out was not legible and the information should of included a copy of the R-4 Zoning requirements . It appears some of the requirements differ from the proposal.

I personally would like to see any Balconies facing existing buildings placed at a maximum distance to the lot line as this is where people will flick cigarette butts and other butts and have B.B.Q's weather they are allowed or not. Normally fire safety is an important issue.

It will be up to the Municipality to make the development meet requirements any gifts to the developer will come at a cost to the adjacent property owners in the way of loss of value and enjoyment

Thanks please accept this as input.

**From: (Doug Allen)**

**Sent:** Thursday, April 22, 2021 5:10 PM  
**To:** Madelyn LeMay <[MLeMay@westhants.ca](mailto:MLeMay@westhants.ca)>  
**Subject:** 233 Gray

Hi Madelyn;

Just received your communication related to 233 Gray.

No objections to the change related to the parking arrangements.

The 15 unit apartment building. No objections as long as the build remains 15 units or less.

Cheers  
Doug Allen

For Irene Allen

---

**From: Chris Sanford**  
**Sent:** Wednesday, April 28, 2021 5:33 PM  
**To:** Madelyn LeMay <[MLeMay@westhants.ca](mailto:MLeMay@westhants.ca)>  
**Subject:** digital copy of plot plan not readable

Hi

Can you forward me a digital copy of the plot plan that was sent out via regular mail. The copy sent out is not readable.

Thanks  
Chris Sanford

---

**From: Janet Smith**  
**Sent:** Tuesday, May 11, 2021 3:07 PM  
**To:** Madelyn LeMay <[MLeMay@westhants.ca](mailto:MLeMay@westhants.ca)>  
**Subject:** 233 Grey Street

Dear Ms. LeMay,

I wish to inquire regarding the proposed development located at 233 Gray Street. I have a few questions for your consideration:

1. Is this project a government subsidized public/private partnership receiving funding from either Federal, Provincial or Municipal government or a combination of all sources?
2. How tall is the proposed development i.e. how many floors?
3. Why was there no public consultation regarding this development considering this is the heritage property district and the development is to be situated in the center of, and thus surrounded mostly by single family dwellings of historic character?

4. After this development is completed, will the municipality accept application and consider this property eligible for a 'Phased In Assessment Agreement' under the DEVELOPMENT SUPPORT PROGRAM, for Taxation Rebates?

5. Is the West Hants Housing Coalition involved in this project/development?

6. Is this project/development involved with the National Housing Strategy / Rapid Housing Authority and Rental Construction Financing Initiative?

7. On what date did the 'Developer' make application for the proposed development and when does the Department of Planning and Development intend to finalize the application?

8. What is the estimated annual tax revenue this development is expected / calculated to contribute to the Windsor West Hants Municipality?

Thank you for your time and attention to these questions and I look forward to hearing from you at your nearest opportunity.

Sincerely,  
Janet Smith

**ATTACHMENT B**  
**WEST HANTS REGIONAL MUNICIPALITY REPORT**

Information <input type="checkbox"/>	Recommendation <input checked="" type="checkbox"/>	Decision Request <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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**To:** Members of Planning and Heritage Advisory Committee

**Submitted by:** \_\_\_\_\_  
Madelyn LeMay, Planner

**Date:** June 10, 2021

**Subject:** Development Agreement: 233 Gray Street and PID #45354065,  
Windsor  
File # 21-08

---

**1.0 LEGISLATIVE AUTHORITY**

Section 230 of the Municipal Government Act.

**2.0 RECOMMENDATION**

Staff recommends that the PAC/HAC forward a positive recommendation by passing the following motion:

...that PAC/HAC recommends that Council give First Reading and hold a Public Hearing to consider entering into a development agreement to permit the required parking for two fifteen-unit apartment buildings, located on 233 Gray Street, PID 45059938 and the abutting lot, PID 45354065, to be located in a manner substantively the same as described in the draft set out in Attachment A of the report to the Planning and Heritage Advisory Committee regarding File 21-08 dated June 10, 2021.

**3.0 BACKGROUND**

An application was completed on April 9, 2021 from John Salah of Quadra Engineering, acting for 3332758 Nova Scotia Limited, to consider a development agreement to allow part of the parking for the 15-unit apartment building at 233 Gray Street to be located on the abutting vacant lot (PID 45354065). An application for a development permit for the vacant lot showed that parking for the apartment building at 233 Gray Street (PID 45059938), which should be entirely located on the lot at 233 Gray Street, has spilled over onto the vacant lot in violation of the WLUB (Figure1).

Both lots are designated Residential on the Generalized Future Land Use Map of the Windsor Municipal Planning Strategy (WMPS) and zoned High Density

Residential (R-4) on the zoning map of the Windsor Land Use By-law (WLUB). Both lots are held in the same ownership: 3332758 Nova Scotia Limited.

Each of these lots can be sold separately. In order that future owners of both lots are aware of the agreement regarding parking, it is appropriate that the development agreement be recorded on the title of each property.

#### **4.0 DISCUSSION**

##### **4.1 Vacant Lot: PID 45354065**

The developer has requested permission to construct a 15-unit apartment building on this lot. Although the lot has only 40' of frontage on the street, the lot was created in June 2005, prior to the effective date of the WLUB (September of 2005), and s.5.13 of the WLUB enables it to be developed. All parking for the new building can be located on the now-vacant lot, and all other requirements of the WLUB have been met, so a development permit has been issued for the 15-unit apartment building.

##### **4.2 233 Gray Street, PID 45059938**

###### **4.2.1 Existing Violation**

In 2005 a development permit was issued for a 15-unit apartment building on the lot at 233 Gray Street. The building was constructed and is in use to-day. The parking required by the development permit has not remained all on the lot at 233 Gray Street; it has expanded into the abutting vacant lot. As a result, the existing building is in violation of the WLUB.

###### **4.2.2 Request for Development Agreement**

Clause 6.1 (a) of the WLUB enables parking to be located on a separate lot by development agreement in accordance with Policy 4.11.3 of the Windsor Municipal Planning Strategy. The owner of both lots has requested a development agreement to regularize the placement of part of the parking for 233 Gray Street on the now-vacant lot.

The development agreement proposal provides a minimum of 43 parking spaces for the two fifteen (15) unit apartment buildings. This is two spaces short of the parking which would usually be required by the Land Use By-law, but is more than would be required by a more usual modern standard of 1.25/unit (38 spaces). Each parking space is 9' by 20' which is narrower than required by the WLUB, but meets most modern standards.

###### **4.2.3 Development Agreement**

A development agreement is a contract between an owner of land and the Municipality to allow Council to consider a use that is not a listed, permitted use within a zone on a specific lot. The ability for Council to consider a development

agreement must be stated in the Land Use Bylaw (LUB) and the Municipal Planning Strategy (MPS) must identify the kinds of uses Council may consider in each area. In the case of considering parking on a separate lot only by development agreement, Council is ensuring that the parking is tied legally to the use and that any future purchaser of the property will be aware of the requirements.

A proposal being considered must be measured against only any specific criteria for that use and the general criteria for the proposal in the MPS. No other criteria are used when considering a development agreement.

#### 4.2.4 WMPS Specific Criteria for Parking by Development Agreement

Each of the criteria is met by the proposal (Attachment A). It is within 300' of the lot which the parking serves, the lots are held in the same ownership and the draft development agreement ties the parking for each lot to both property descriptions.

#### 4.2.5 WMPS General Criteria

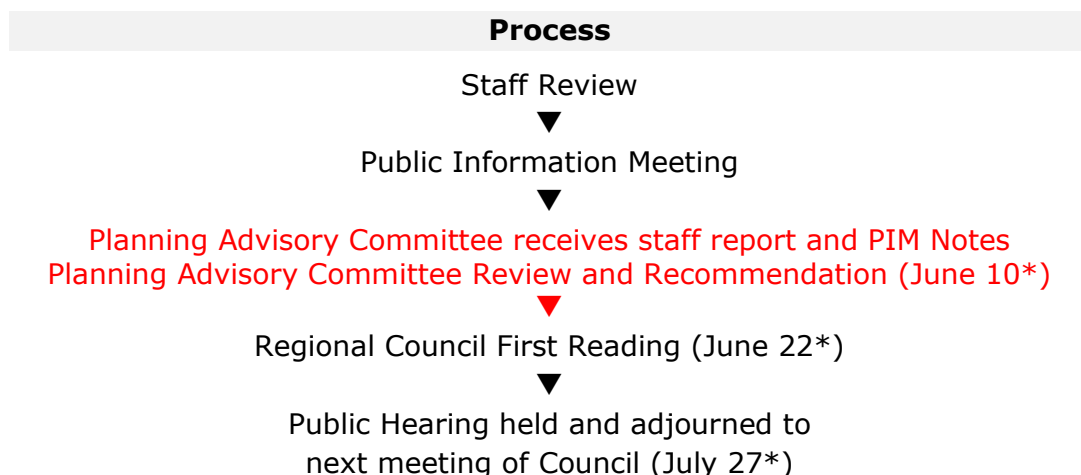
The proposal meets the general criteria for development agreement set out in WMPS Policy 16.3.1. These criteria are examined in detail in Attachment B. In summary, the proposal is neither premature nor inappropriate and no problems are anticipated by either the Traffic Authority or the Development Officer.

#### 4.2.6 Municipal Climate Change Action Plan

Since this is a development agreement outside the Environmental Constraints Area only to regularize parking on an abutting lot, the application was not measured against the Municipal Climate Change Action Plan.

### 5.0 **NEXT STEPS**

As noted above, the proposed development agreement has been considered within the context of both the specific and general policies of the WMPS and is consistent with the intent, objectives and policies. Dates shown are the anticipated dates; the final dates will be set by Council.



▼  
Council completes Public Hearing and  
holds Second Reading (September 28\*)

▼  
Ministerial Approval or Appeal Period

▼  
Notice of Approval in Local Paper

## **6.0 FINANCIAL IMPLICATIONS**

There are no anticipated costs to the Municipality regarding this development agreement.

## **7.0 ALTERNATIVES**

In response to the application, PAC/HAC may recommend that Council:

- hold First Reading and authorize a Public Hearing to approve the development agreement as drafted or as specifically revised by direction of PAC;
- provide alternative direction such as requesting further information on a specific topic.

## **8. ATTACHMENTS**

Figure 1 Orthophoto: Existing Situation

Figure 2 Windsor GFLUM Extract

Figure 3 Windsor Zoning Map Extract

Attachment A Specific Criteria for Development Agreement

Attachment B General Criteria for Development Agreement

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Report Prepared by: \_\_\_\_\_  
Madelyn LeMay, Director of Planning and Development



**Figure 1**  
**Orthophoto: Existing Situation**

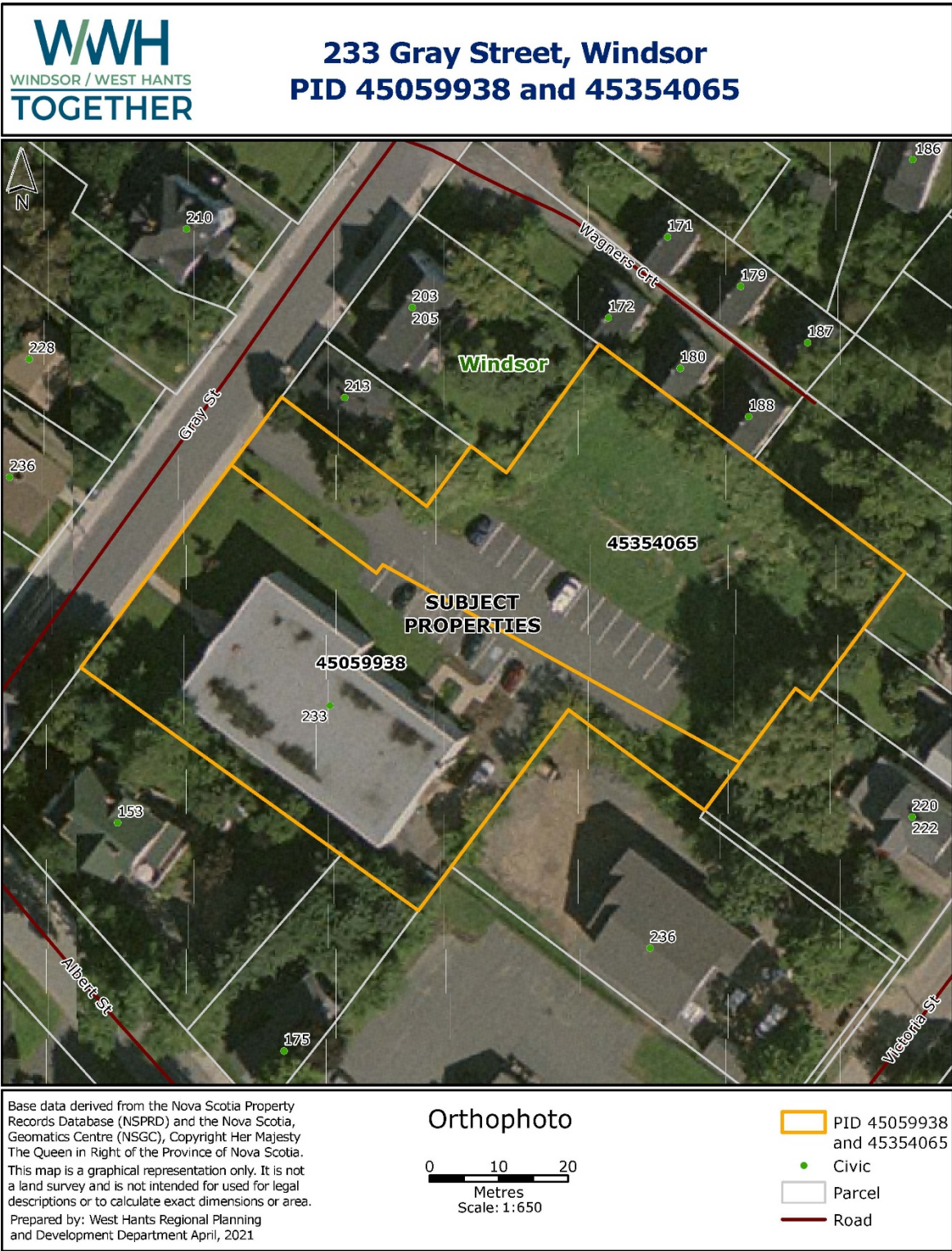




Figure 2

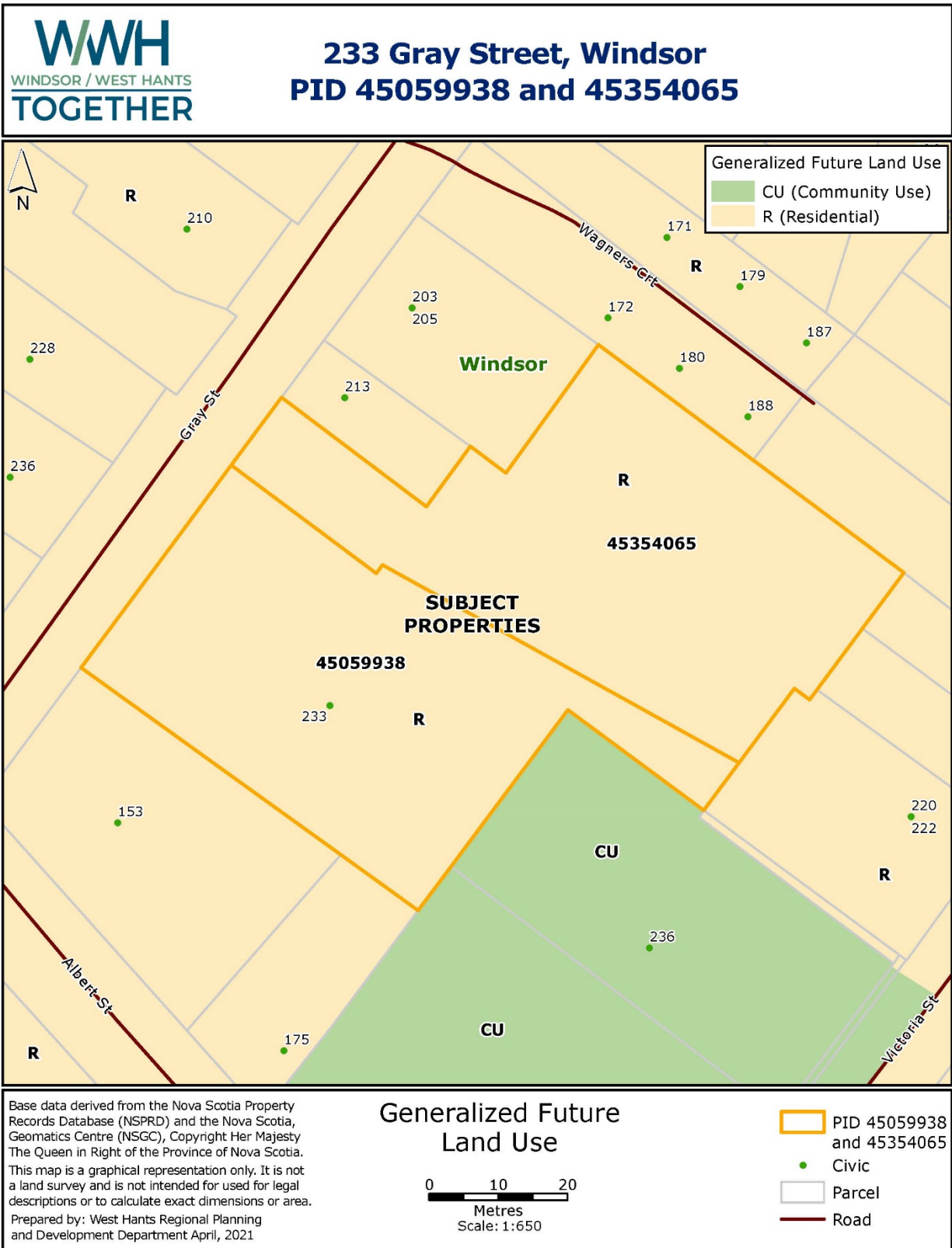
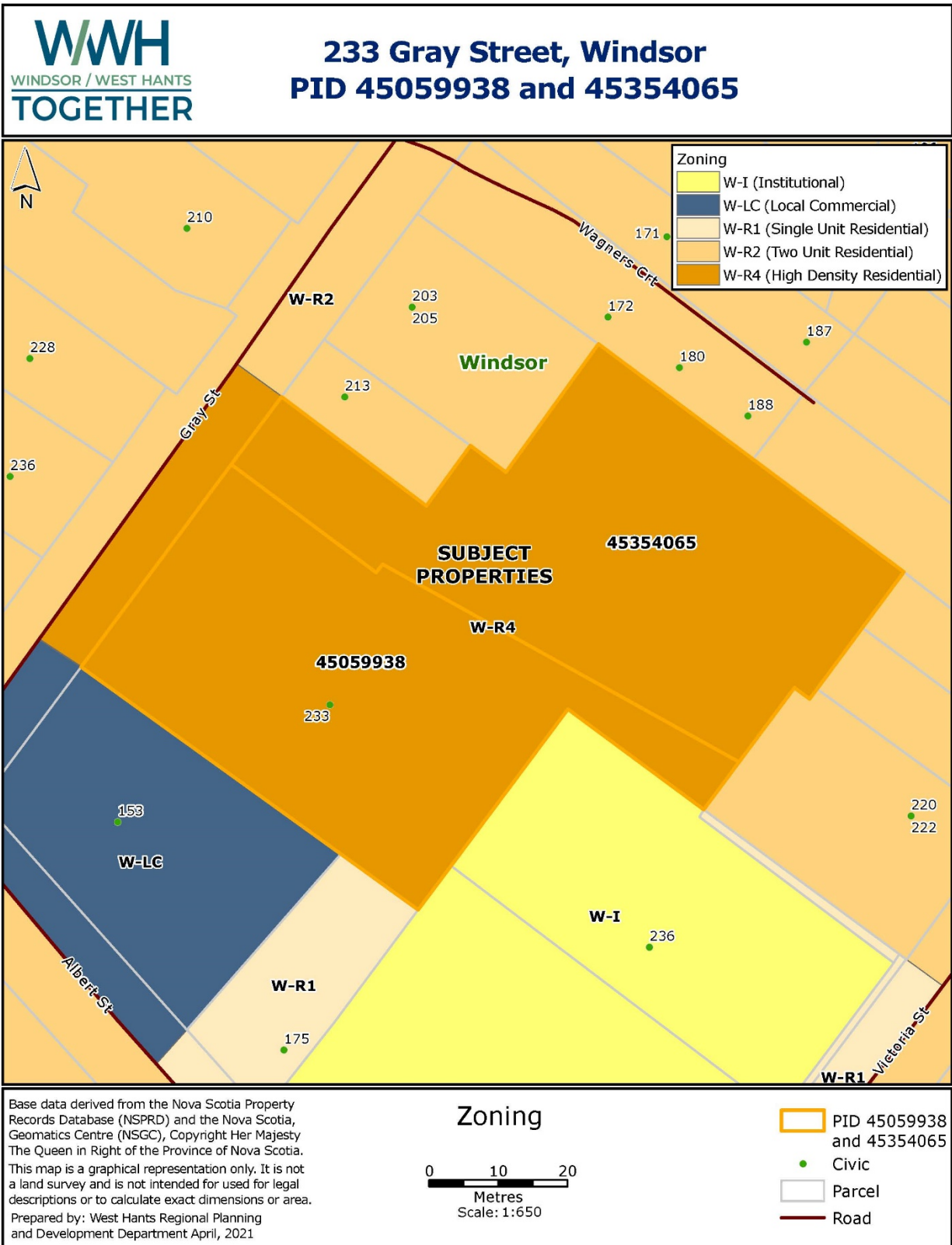


Figure 3



**Attachment A**  
**Specific Criteria for Amendment**

**WMPS Policy 4.11.3**

*Notwithstanding Policy 4.11.2, parking may be provided on a separate lot by development agreement subject to the following criteria:*

<b>CRITERIA</b>	<b>COMMENT</b>
<i>(a) the lot is within 300 ft. (91.44 m.) of the lot for which the parking is required;</i>	The lots abut one another.
<i>(b) the two lots are in the same ownership</i>	Both lots are owned by 3332758 Nova Scotia Limited
<i>(c) the agreement ensures the required parking is continued to be provided for the said use on the separate lot; and</i>	The draft development agreement requires the shared driveway and part of the parking to support the 15-unit apartment building on PID 45059938 be located on PID 45354065.
<i>(d) the provisions of Policy 16.3.1 of the Municipal Planning Strategy.</i>	Please see Attachment B

## Attachment B General Criteria

**Policy 16.3.1** In considering development agreements and amendments to the Town of Windsor Land Use By-law, in addition to the criteria set out in various policies of this Strategy, Council shall consider:

<b>CRITERIA</b>	<b>COMMENT</b>
<i>(a) whether the proposal is considered premature or inappropriate in terms of:</i>	
<i>(i) the adequacy of sewer and water services;</i>	Not applicable as no structure is proposed.
<i>(ii) the adequacy of school facilities;</i>	Not applicable as no structure is proposed.
<i>(iii) the adequacy of fire protection;</i>	Not applicable as no structure is proposed.
<i>(iv) the adequacy of road networks adjacent to, or leading to the development; and</i>	The Traffic Authority has determined the road network to be adequate.
<i>(v) the financial capacity of the Town to absorb any costs relating to the development.</i>	There are no anticipated costs related to the development.
<i>(b) the suitability with any aspect relative to the movement of auto, rail and pedestrian traffic;</i>	Traffic Authority has no concerns regarding the proposed parking lot.
<i>(c) the adequacy of the dimensions and shape of the lot for the intended use;</i>	The Development Officer has commented that the lot is appropriate for the intended use.
<i>(d) the pattern of development which the proposal might create;</i>	The proposed shared parking does not affect the development pattern.
<i>(e) the suitability of the area in terms of steepness of grade, soil and geological conditions, location of water courses, marshes or bogs and susceptibility of flooding;</i>	The lot is now used for parking for the adjacent lot and appears suitable; the development agreement does not warrant that the lot is suitable for the proposed parking use.
<i>(f) whether the proposal meets the requirements of the appropriate provincial or federal agencies as well as whether it conforms to all other relevant municipal by-laws and regulations; and</i>	There are no apparent Provincial or Federal requirements.
<i>(g) any other matter required by relevant policies of this Strategy.</i>	No other policies are relevant to the proposed development agreement.



## DEVELOPMENT AGREEMENT

**THIS AGREEMENT** made this                      day of                      , 2021

**BETWEEN:**

**WEST HANTS REGIONAL MUNICIPALITY**, a body corporate pursuant to the Municipal Government Act, having its chief place of business at 76 Morison Drive, Wentworth Creek, in the County of Hants, Province of Nova Scotia,

(Hereinafter referred to as the "Municipality")

OF THE FIRST PART

- and -

**3332758 NOVA SCOTIA LIMITED**, a body corporate, with a head office at Bedford, Province of Nova Scotia,

(Hereinafter referred to as the "Owner")

OF THE SECOND PART

**WHEREAS** the Owner is the registered owner of two lots located at 233 Gray Street, PID 45059938 and PID 45354065, Windsor hereinafter referred to as the "Properties", which lands are more particularly described in Schedule A attached hereto; and

**WHEREAS** the Properties are designated Residential on the Generalized Future Land Use Map of the Windsor Municipal Planning Strategy (September 21, 2005) and zoned High Density Residential (R-4) on the Zoning Map of the Windsor Land Use By-law (September 21, 2005); and

WHEREAS the Owner wishes to accommodate part of the parking required for a fifteen-unit apartment building located at 233 Gray Street, PID 45059938 on PID 45354065; and

**WHEREAS** Policy 4.11.3 of the Windsor Municipal Planning Strategy (the "Municipal Planning Strategy") and Clause 6.1 (a) of the Windsor Land Use By-law (the "Land Use By-law") provide that parking located on separate lot within 300' of the use it supports may be considered by development agreement; and

**WHEREAS** the Council of the Municipality, at a meeting held on Month Day, 2021, approved this request;

**NOW THEREFORE THIS AGREEMENT WITNESSETH** that in consideration of the mutual covenants and agreements herein contained, the parties agree as follows:

## **PART 1                      AGREEMENT CONTEXT**

### **1.1      Definitions**

In this Agreement, all words or phrases used shall carry their customary meaning unless otherwise set out in the Land Use By-law, except those defined as follows:

Parking Space means a space measuring 9' by 20', exclusive of driveways, ramps or aisles, to park one vehicle for purposes other than the display or offering of sale of commodities.

### **1.2      Schedules**

The following attached schedules shall form part of this agreement:

Schedule A – Property Descriptions

Schedule B – Site Plan

### **1.3      Municipal Planning Strategy, Land Use By-law and Subdivision By-law**

(a) *Municipal Planning Strategy* means the Municipal Planning Strategy of the Town of Windsor, approved on August 23, 2005, as amended, or successor bylaws;

(b) *Land Use Bylaw* means the Land Use Bylaw of the Town of Windsor, approved on August 23, 2005, as amended, or successor bylaws;

(c) *Subdivision Bylaw* means the Subdivision Bylaw of the Town of Windsor approved on January 24, 2012, as amended, or successor bylaws.

## **PART 2                      GENERAL REQUIREMENTS**

### **2.1      Use**

The Parties agree that uses on the Properties shall be limited to the following:

- (a) those uses permitted by the underlying zoning of the Land Use By-law;
- (b) a driveway providing access to parking spaces;
- (c) a minimum of 43 clearly demarcated parking spaces located entirely on PID 45354065 and PID 45059938, arranged approximately as shown on Schedule B, required to support two 15-unit apartment buildings.

Except as otherwise provided in this Agreement, the provisions of the Land Use By-law and the Subdivision By-law apply to any development undertaken pursuant to this agreement.

## **2.2 Access and Egress**

The vehicular entrance and exit for the property shall be via the existing driveway located approximately as shown on the Site Plan (Schedule B).

## **2.3 Variance**

The parking layout and the minimum number of parking spaces required may be varied in writing by the Development Officer without amending this agreement provided that the number of spaces for each apartment unit shall not be reduced below one (1).

## **2.4 Lighting**

Exterior lighting for driveways and parking areas shall be shielded and directed downward to ensure there is no light spilling, glare or light cast over neighbouring properties or the street.

## **2.5 Maintenance**

- (a) The Owner shall keep the Property and buildings and any portion thereof clean and in good repair. Any driveways, fences, lawns, trees, shrubs, walkways and other landscaping elements shall be regularly maintained and kept in a tidy state and free from unkempt materials or matter of any kind.
- (b) The Owner shall maintain the driveway to a level adequate to allow for access by emergency services vehicles.

# **PART 3 CHANGES AND DISCHARGE**

- 3.1** The Owner shall not vary or change the use of the Property from that provided for in Section 2.1 of this Agreement, *Use*, unless a new agreement is entered into with the Municipality or this agreement is amended.



- 3.2** There are no substantive matters in this development agreement. The agreement may be changed with the written consent of Council without a public hearing provided that Council determines that the changes do not significantly alter the intended effect of these aspects of this agreement.
- 3.3** Notice of Intent to Discharge this Agreement may be given by the Municipality to the Owner following a resolution of Council to give such Notice:
- (a) as provided for in Section 4.1, *Commencement of Development*, of this Agreement; or
  - (b) at the discretion of the Municipality, with or without the concurrence of the Owner, where the Development has, in the reasonable opinion of Council on advice from the Development Officer, ceased operation for a period of at least twenty-four (24) months; or
  - (c) at any time upon the written request of the Owner, provided the use of the Property is in accordance with the Land Use By-law or a new Agreement has been entered into.
- 3.4** Council may discharge this Agreement thirty (30) days after a Notice of Intent to Discharge has been given.

## **PART 4 IMPLEMENTATION**

### **4.1 Commencement of Development**

- (a) The Owner may not commence any construction or use on the Property until the Municipality has issued any development permit, building permit and/or occupancy permit that may be required.
- (b) Development as provided in Part 2 of this Agreement shall commence not later than twenty-four (24) months from the date this Agreement is signed. If, in the opinion of the Development Officer, this time limit has not been met, this Agreement may be discharged at the option of the Municipality by resolution of Council in accordance with Section 229 of the Municipal Government Act thirty (30) days after giving Notice of Intent to Discharge to the Owner. Upon the written request of the Owner, the Municipality, by resolution of Council, may grant an extension to the date of commencement of development without such an extension being deemed to be an amendment to this Agreement.



- (c) If the Owner is bona fide delayed from commencing the development for reasons which are beyond the Owner's control, the determination of which shall be at the sole discretion of the Development Officer, then performance by the Owner is excused for the period of the delay and the time period for the Owner to perform their obligations shall be extended by the Development Officer in writing for an equivalent period, without such an extension being deemed to be an amendment to this Agreement.

## **PART 5 ADMINISTRATION and COMPLIANCE**

### **5.1 Compliance with Other Bylaws and Regulations**

- (a) Nothing in this Agreement shall exempt the Owner from complying with Federal, Provincial and Municipal laws, by-laws and regulations in force or from obtaining any Federal, Provincial, or Municipal license, permission, permit, authority, or approval required thereunder.
- (b) Where the provisions of this Agreement conflict with those of any by-law of the Municipality applicable to the Property (other than the Land Use By-law to the extent varied by this Agreement) or any statute or regulation, the higher or more stringent requirements shall prevail.

### **5.2 Severability of Provisions**

The provisions of this Agreement are severable from one another and the invalidity or unenforceability of one provision shall not affect the validity or enforceability of any other provision.

### **5.3 Interpretation**

- (a) Where the context requires, the singular shall include the plural and the masculine gender shall include the feminine and neutral gender.
- (b) Where the written text of this Agreement conflicts with information provided in the Schedules attached to this Agreement, the written text of this Agreement shall prevail.
- (c) References to particular sections of statutes and bylaws shall be deemed to be references to any successor legislation and bylaws even if the content has been amended, unless the context otherwise requires.

### **5.4 Municipal Responsibility**

- (a) The Municipality does not make any representations to the Owner about the suitability of the Property for the development proposed by this agreement. The Owner assumes all risks and must ensure that any

proposed development complies with this Agreement and all other laws pertaining to the Development.

- (b) Any failure of the Municipality to insist upon a strict performance of any requirements or conditions contained in this Agreement shall not be deemed a waiver of any rights or remedies that the Municipality may have and shall not be deemed a waiver of any subsequent breach or default in the conditions or requirements contained in this Agreement.

#### **5.5 Onus for Compliance on Owner**

Any failure of the Municipality to insist upon a strict performance of any requirements or conditions contained in this Agreement shall not be deemed a waiver of any rights or remedies that the Municipality may have and shall not be deemed a waiver of any subsequent breach or default in the conditions or requirements contained in this Agreement.

#### **5.6 Breach of Terms or Conditions**

Upon breach of any term or condition of this Agreement, the Municipality may notify the Owner in writing. In the event that the Owner has not cured any such breach or entered into arrangements with the Municipality related to such breach to the Municipality's satisfaction, acting reasonably, within six (6) months of such notice then the Municipality may rely upon the remedies contained in Section 264 of the *Municipal Government Act* and may enter the land and perform any of the terms contained in the Development Agreement, or take such remedial action as is considered necessary to correct a breach of the Agreement, including the removal or destruction of anything that contravenes the terms of the Agreement and including decommissioning the site. It is agreed that all reasonable expenses, whether arising out of the entry on the land or from the performance of the terms, are a first lien on the land that is the subject of the Development Agreement.

#### **5.7 Costs**

The Owner shall pay all costs associated with the advertising required for this Agreement, the costs of registering this Agreement, and all costs associated with any amendment thereof.

#### **5.8 Development Agreement Bound to Land**

This Agreement shall be binding upon the parties hereto and their heirs, executors, administrators, successors and assigns, and shall run with the land which is the subject of this Agreement until such time as it is discharged by the Municipality in accordance with Section 229 of the *Municipal Government Act*.

### 5.9 Assignment of Agreement

The Owner may, at any time and from time to time, transfer or assign this Agreement and its rights hereunder and may delegate its obligations hereunder to an assign, successor, heir, or purchaser of the land bound by this Agreement.

### 5.10 Written Notice

- (a) The Municipality may serve notice on the Owner personally or by ordinary mail which shall be deemed to have been received within three (3) business days of mailing, addressed to 3332758 Nova Scotia Limited, 343 Southgate Drive, Bedford, NS, B4A 4M6 or at any other address provided by the Owner.
- (b) The Owner may serve notice on the Municipality by registered mail addressed to the Chief Administrative Officer, Municipality of the District of West Hants, 76 Morison Drive, P.O. Box 3000, Windsor, NS, B0N 2T0, or at any successor address provided by the Municipality to the Owner.

### 5.11 Full Agreement

This agreement constitutes the entire agreement and contract entered into by the Municipality and the Owner. No other agreement or representation, oral or written, shall be binding.

**IN WITNESS WHEREOF** this Agreement was properly executed by the respective parties hereto on the day and year first above written.

**SIGNED, SEALED AND DELIVERED ) WEST HANTS REGIONAL MUNICIPALITY**

In the presence of:

\_\_\_\_\_  
Witness ) Per: \_\_\_\_\_  
Abraham Zebian, Mayor

\_\_\_\_\_  
Witness ) Per: \_\_\_\_\_  
Clerk

)  
)  
)  
)

**3332758 NOVA SCOTIA LIMITED**

Per: \_\_\_\_\_

\_\_\_\_\_  
Witness

)  
)  
)  
)

Xhavid Kuka, President

Per: \_\_\_\_\_

\_\_\_\_\_  
Witness

)  
)

Jani Mroshaj, Vice President

## **SCHEDULE A**

Property Description taken From Property Online May 26, 2021

### **PID 45354065**

Place Name: GRAY STREET WINDSOR

Municipality/County: TOWN OF WINDSOR/HANTS COUNTY

Designation of Parcel on Plan: LOT W-7A

Title of Plan: PLAN OF SUBDIVISION OF LOT W-7A, LANDS OF MANNEX HOLDINGS LTD, WINDSOR, PARCEL A ADDED TO BLOCK W-7 TO FORM LOT W-7A, REMAINDER OTW-6A

Registration County: HANTS COUNTY

Registration Number of Plan: 82183444

Registration Date of Plan: 2005-06-13 14:16:27

### **PID 45059938**

ALL that lot of land situate at the Town of Windsor, County of Hants, Province of Nova Scotia, shown as Block W-6 on a plan of survey entitled Block W-6 & W-7, Lands Conveyed to Mannex Holdings Limited, dated February 19, 2002, by Bruce Lake, N.S.L.S. and registered in the Registry of Deeds at Windsor, Nova Scotia on November 19, 2004 as Plan No. 76688598.

SAVING and EXCEPTING Parcel A as shown on registered Plan No. 82183444



**PROVINCE OF NOVA SCOTIA  
COUNTY OF HANTS**

**ON THIS**                      day of                      , A.D. 2021, before me, the subscriber,  
personally came and appeared                      , a  
subscribing witness to the foregoing Indenture, who, having been by me duly  
sworn, made oath and said that **WEST HANTS REGIONAL MUNICIPALITY**, one  
of the parties thereto, caused the same to be executed in its name and on its behalf  
and its corporate seal to be thereunto affixed in h                      presence.

---

A Commissioner of the Supreme Court of Nova Scotia

**PROVINCE OF NOVA SCOTIA  
COUNTY OF HANTS**

**ON THIS**                      day of                      , A.D. 2021, before me, the subscriber,  
personally came and appeared                      , a  
subscribing witness to the foregoing Indenture, who, having been by me duly  
sworn, made oath and said that, one of the parties thereto, signed, sealed and  
delivered the same in h                      presence.

---

A Commissioner of the Supreme Court of Nova Scotia

**CANADA**  
**PROVINCE OF NOVA SCOTIA**

**AFFIDAVIT & PROOF OF EXECUTION**

I, **NAME AND RESIDENCE** , Nova Scotia, make oath and say that:

1. I am **POSITION** of **3332758 NOVA SCOTIA LIMITED**, the "Corporation". Except as otherwise stated I have personal knowledge of the matters to which I have sworn in this Affidavit.
2. I acknowledge that I executed the foregoing instrument on behalf of the Corporation on the date of this affidavit; this acknowledgment is made for the purpose of registering such instrument pursuant to s.31(a) of the Registry Act, R.S.N.S. 1989, c.392 or ss.79 and 83 of the Land Registration Act as the case may be.
3. I verify that I have the authority to execute the foregoing instrument on behalf of the corporation and thereby bind the Corporation.
4. The Corporation is a resident of Canada under the Income Tax Act (Canada).
5. The ownership of a share or an interest in a share of the Corporation does not entitle the owner of such share or interest in such share to occupy a dwelling owned by the Corporation.

I certify that on this **DATE**, 2021 the Deponent came before me, made oath, and swore the foregoing affidavit at **PLACE**, Nova Scotia.

---

Print Name:  
Authority (e.g. Commissioner of  
Oaths): Please affix seal



AFFIDAVIT OF CLERK  
WEST HANTS REGIONAL MUNICIPALITY

I, \_\_\_\_\_ of \_\_\_\_\_, Hants County, Nova Scotia make oath and swear that:

1. I am the Clerk of West Hants Regional Municipality (The "Municipality") and I have personal knowledge of the matters to which I have sworn in this Affidavit.
2. The Municipality is a body corporate pursuant to the Municipal Government Act, S.N.S. 1988, c.18, as amended.
3. I acknowledge that the Municipality executed the attached Instrument by its proper designates duly authorized in that regard under seal on the date of this Affidavit pursuant to subsection 13(3) of the Municipal Government Act, S.N.S. 1988, c.18, as amended. This acknowledgement is made pursuant to subsection 31(a) of the Registry Act, R.S.N.S. 1989, c.392 and/or clause 79(1)(a) of the Land Registry Act, S.N.S. 2001, c.6, as amended, for the purpose of registering or recording the Instrument.
4. The Municipality is resident in Canada for the purposes of the Income Tax Act (Canada).

Sworn before me at \_\_\_\_\_, Nova Scotia, this \_\_\_\_\_, 2021.

\_\_\_\_\_  
A BARRISTER/COMMISSIONER OF THE  
SUPREME COURT OF NOVA SCOTIA  
Print name/affix seal

\_\_\_\_\_  
CLERK

I CERTIFY that on this date \_\_\_\_\_ personally came before me and swore under oath the foregoing Affidavit.

\_\_\_\_\_  
A BARRISTER/COMMISSIONER OF THE  
SUPREME COURT OF NOVA SCOTIA  
Print name/affix seal



## WEST HANTS REGIONAL MUNICIPALITY REPORT

Information <input type="checkbox"/>	Recommendation <input checked="" type="checkbox"/>	Decision Request <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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**To:** Mayor Zebian and Members of West Hants Regional Municipality Council

**Submitted by:** \_\_\_\_\_  
Madelyn LeMay, Director, Planning and Development

**Date:** June 22, 2021

**Subject:** Development Agreement: 233 Gray Street and PID #45354065,  
Windsor  
File # 21-08C

---

### LEGISLATIVE AUTHORITY

Section 210 of the Municipal Government Act.

### RECOMMENDATION or DECISION REQUEST

Should Council wish to proceed to a Public Hearing as recommended by PAC/HAC, the following motion would be in order:

... that Council give First Reading and hold a Public Hearing to consider entering into a development agreement to permit the required parking for two fifteen-unit apartment buildings, located on 233 Gray Street, PID 45059938 and the abutting lot, PID 45354065, to be located in a manner substantively the same as described in the draft set out in Attachment A of the report to the Planning and Heritage Advisory Committee regarding File 21-08 dated June 10, 2021.

### BACKGROUND

Property <input checked="" type="checkbox"/>	Public Opinion <input type="checkbox"/>	Environment <input type="checkbox"/>	Social <input type="checkbox"/>	Economic <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
--	---	--------------------------------------	---------------------------------	-----------------------------------	--

### DISCUSSION

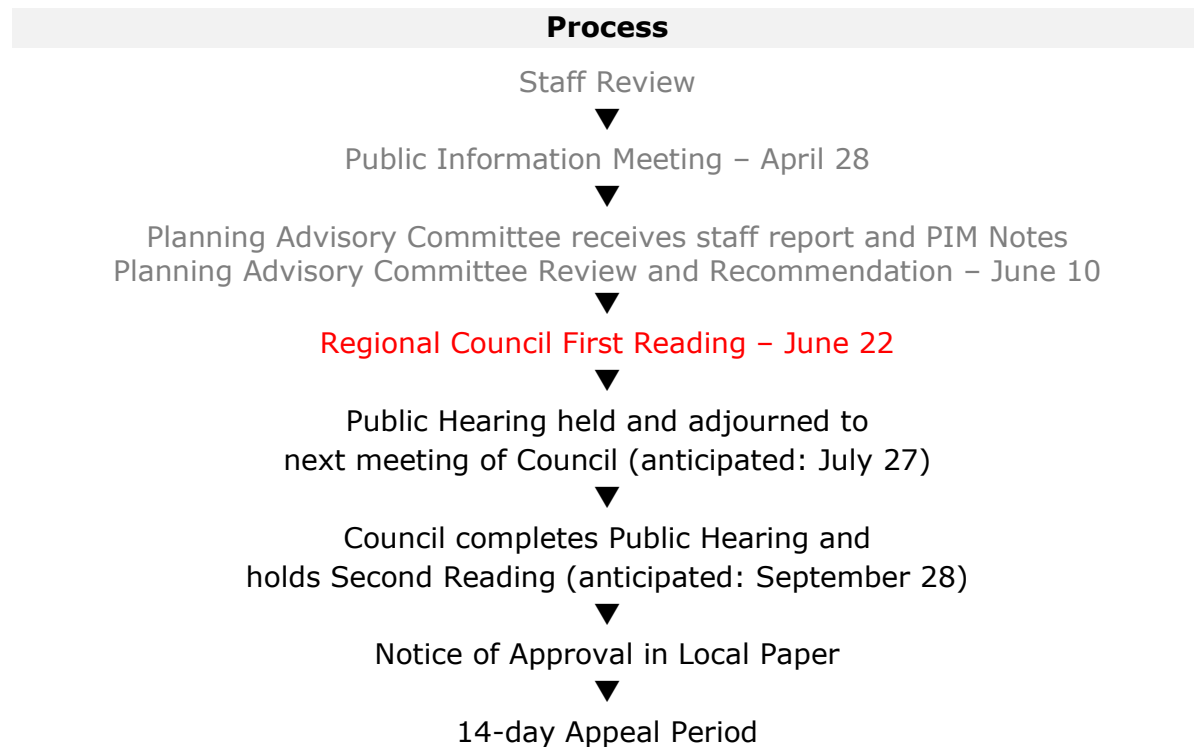
A Public Information Meeting was held on April 28, 2021.

On June 10, 2021 staff presented a recommendation report to the Planning and Heritage Advisory Committee (PAC/HAC).

PAC/HAC recommended in favour of the development agreement on June 10, 2021.

## NEXT STEPS

The process for this application is as follows:



## FINANCIAL IMPLICATIONS

There are no financial implications to the Municipality in relation to the filing of this report.

## ALTERNATIVES

In response to the application, Council may decide to:

- provide alternative direction such as requesting further information on a specific topic.

## APPENDIX

**Appendix A**      Public Information Meeting Notes – File 21-08A  
                             Staff Report and Recommendation - File 21-08B

**CHIEF ADMINISTRATIVE OFFICER REVIEW**

I have no further comments. After attending the June 10, 2021 PAC/HAC meeting is support the recommendation.

Report Prepared by: \_\_\_\_\_  
Madelyn LeMay, Director of Planning and Development

Report Approved by: \_\_\_\_\_  
  
Mark Phillips, Chief Administrative Officer



## ATTACHMENT D DEVELOPMENT AGREEMENT

**THIS AGREEMENT** made this \_\_\_\_\_ day of \_\_\_\_\_, 2021

**BETWEEN:**

**WEST HANTS REGIONAL MUNICIPALITY**, a body corporate pursuant to the Municipal Government Act, having its chief place of business at 76 Morison Drive, Wentworth Creek, in the County of Hants, Province of Nova Scotia,

(Hereinafter referred to as the "Municipality")

OF THE FIRST PART

- and -

**3332758 NOVA SCOTIA LIMITED**, a body corporate, with a head office at Bedford, Province of Nova Scotia,

(Hereinafter referred to as the "Owner")

OF THE SECOND PART

**WHEREAS** the Owner is the registered owner of two lots located at 233 Gray Street, PID 45059938 and PID 45354065, Windsor hereinafter referred to as the "Properties", which lands are more particularly described in Schedule A attached hereto; and

**WHEREAS** the Properties are designated Residential on the Generalized Future Land Use Map of the Windsor Municipal Planning Strategy (September 21, 2005) and zoned High Density Residential (R-4) on the Zoning Map of the Windsor Land Use By-law (September 21, 2005); and

WHEREAS the Owner wishes to accommodate part of the parking required for a fifteen-unit apartment building located at 233 Gray Street, PID 45059938 on PID 45354065; and

**WHEREAS** Policy 4.11.3 of the Windsor Municipal Planning Strategy (the "Municipal Planning Strategy") and Clause 6.1 (a) of the Windsor Land Use By-law (the "Land Use By-law") provide that parking located on separate lot within 300' of the use it supports may be considered by development agreement; and

**WHEREAS** the Council of the Municipality, at a meeting held on Month Day, 2021, approved this request;

**NOW THEREFORE THIS AGREEMENT WITNESSETH** that in consideration of the mutual covenants and agreements herein contained, the parties agree as follows:

## **PART 1                      AGREEMENT CONTEXT**

### **1.1      Definitions**

In this Agreement, all words or phrases used shall carry their customary meaning unless otherwise set out in the Land Use By-law, except those defined as follows:

Parking Space means a space measuring 9' by 20', exclusive of driveways, ramps or aisles, to park one vehicle for purposes other than the display or offering of sale of commodities.

### **1.2      Schedules**

The following attached schedules shall form part of this agreement:

Schedule A – Property Descriptions

Schedule B – Site Plan

### **1.3      Municipal Planning Strategy, Land Use By-law and Subdivision By-law**

(a) *Municipal Planning Strategy* means the Municipal Planning Strategy of the Town of Windsor, approved on August 23, 2005, as amended, or successor bylaws;

(b) *Land Use Bylaw* means the Land Use Bylaw of the Town of Windsor, approved on August 23, 2005, as amended, or successor bylaws;

(c) *Subdivision Bylaw* means the Subdivision Bylaw of the Town of Windsor approved on January 24, 2012, as amended, or successor bylaws.

## **PART 2                      GENERAL REQUIREMENTS**

### **2.1      Use**

The Parties agree that uses on the Properties shall be limited to the following:

- (a) those uses permitted by the underlying zoning of the Land Use By-law;
- (b) a driveway providing access to parking spaces;
- (c) a minimum of 43 clearly demarcated parking spaces located entirely on PID 45354065 and PID 45059938, arranged approximately as shown on Schedule B, required to support two 15-unit apartment buildings.

Except as otherwise provided in this Agreement, the provisions of the Land Use By-law and the Subdivision By-law apply to any development undertaken pursuant to this agreement.

## **2.2 Access and Egress**

The vehicular entrance and exit for the property shall be via the existing driveway located approximately as shown on the Site Plan (Schedule B).

## **2.3 Variance**

The parking layout and the minimum number of parking spaces required may be varied in writing by the Development Officer without amending this agreement provided that the number of spaces for each apartment unit shall not be reduced below one (1).

## **2.4 Lighting**

Exterior lighting for driveways and parking areas shall be shielded and directed downward to ensure there is no light spilling, glare or light cast over neighbouring properties or the street.

## **2.5 Maintenance**

- (a) The Owner shall keep the Property and buildings and any portion thereof clean and in good repair. Any driveways, fences, lawns, trees, shrubs, walkways and other landscaping elements shall be regularly maintained and kept in a tidy state and free from unkempt materials or matter of any kind.
- (b) The Owner shall maintain the driveway to a level adequate to allow for access by emergency services vehicles.

# **PART 3 CHANGES AND DISCHARGE**

- 3.1** The Owner shall not vary or change the use of the Property from that provided for in Section 2.1 of this Agreement, *Use*, unless a new agreement is entered into with the Municipality or this agreement is amended.

- 3.2** There are no substantive matters in this development agreement. The agreement may be changed with the written consent of Council without a public hearing provided that Council determines that the changes do not significantly alter the intended effect of these aspects of this agreement.
- 3.3** Notice of Intent to Discharge this Agreement may be given by the Municipality to the Owner following a resolution of Council to give such Notice:
- (a) as provided for in Section 4.1, *Commencement of Development*, of this Agreement; or
  - (b) at the discretion of the Municipality, with or without the concurrence of the Owner, where the Development has, in the reasonable opinion of Council on advice from the Development Officer, ceased operation for a period of at least twenty-four (24) months; or
  - (c) at any time upon the written request of the Owner, provided the use of the Property is in accordance with the Land Use By-law or a new Agreement has been entered into.
- 3.4** Council may discharge this Agreement thirty (30) days after a Notice of Intent to Discharge has been given.

## **PART 4 IMPLEMENTATION**

### **4.1 Commencement of Development**

- (a) The Owner may not commence any construction or use on the Property until the Municipality has issued any development permit, building permit and/or occupancy permit that may be required.
- (b) Development as provided in Part 2 of this Agreement shall commence not later than twenty-four (24) months from the date this Agreement is signed. If, in the opinion of the Development Officer, this time limit has not been met, this Agreement may be discharged at the option of the Municipality by resolution of Council in accordance with Section 229 of the Municipal Government Act thirty (30) days after giving Notice of Intent to Discharge to the Owner. Upon the written request of the Owner, the Municipality, by resolution of Council, may grant an extension to the date of commencement of development without such an extension being deemed to be an amendment to this Agreement.



- (c) If the Owner is bona fide delayed from commencing the development for reasons which are beyond the Owner's control, the determination of which shall be at the sole discretion of the Development Officer, then performance by the Owner is excused for the period of the delay and the time period for the Owner to perform their obligations shall be extended by the Development Officer in writing for an equivalent period, without such an extension being deemed to be an amendment to this Agreement.

## **PART 5 ADMINISTRATION and COMPLIANCE**

### **5.1 Compliance with Other Bylaws and Regulations**

- (a) Nothing in this Agreement shall exempt the Owner from complying with Federal, Provincial and Municipal laws, by-laws and regulations in force or from obtaining any Federal, Provincial, or Municipal license, permission, permit, authority, or approval required thereunder.
- (b) Where the provisions of this Agreement conflict with those of any by-law of the Municipality applicable to the Property (other than the Land Use By-law to the extent varied by this Agreement) or any statute or regulation, the higher or more stringent requirements shall prevail.

### **5.2 Severability of Provisions**

The provisions of this Agreement are severable from one another and the invalidity or unenforceability of one provision shall not affect the validity or enforceability of any other provision.

### **5.3 Interpretation**

- (a) Where the context requires, the singular shall include the plural and the masculine gender shall include the feminine and neutral gender.
- (b) Where the written text of this Agreement conflicts with information provided in the Schedules attached to this Agreement, the written text of this Agreement shall prevail.
- (c) References to particular sections of statutes and bylaws shall be deemed to be references to any successor legislation and bylaws even if the content has been amended, unless the context otherwise requires.

### **5.4 Municipal Responsibility**

- (a) The Municipality does not make any representations to the Owner about the suitability of the Property for the development proposed by this agreement. The Owner assumes all risks and must ensure that any

proposed development complies with this Agreement and all other laws pertaining to the Development.

- (b) Any failure of the Municipality to insist upon a strict performance of any requirements or conditions contained in this Agreement shall not be deemed a waiver of any rights or remedies that the Municipality may have and shall not be deemed a waiver of any subsequent breach or default in the conditions or requirements contained in this Agreement.

#### **5.5 Onus for Compliance on Owner**

Any failure of the Municipality to insist upon a strict performance of any requirements or conditions contained in this Agreement shall not be deemed a waiver of any rights or remedies that the Municipality may have and shall not be deemed a waiver of any subsequent breach or default in the conditions or requirements contained in this Agreement.

#### **5.6 Breach of Terms or Conditions**

Upon breach of any term or condition of this Agreement, the Municipality may notify the Owner in writing. In the event that the Owner has not cured any such breach or entered into arrangements with the Municipality related to such breach to the Municipality's satisfaction, acting reasonably, within six (6) months of such notice then the Municipality may rely upon the remedies contained in Section 264 of the *Municipal Government Act* and may enter the land and perform any of the terms contained in the Development Agreement, or take such remedial action as is considered necessary to correct a breach of the Agreement, including the removal or destruction of anything that contravenes the terms of the Agreement and including decommissioning the site. It is agreed that all reasonable expenses, whether arising out of the entry on the land or from the performance of the terms, are a first lien on the land that is the subject of the Development Agreement.

#### **5.7 Costs**

The Owner shall pay all costs associated with the advertising required for this Agreement, the costs of registering this Agreement, and all costs associated with any amendment thereof.

#### **5.8 Development Agreement Bound to Land**

This Agreement shall be binding upon the parties hereto and their heirs, executors, administrators, successors and assigns, and shall run with the land which is the subject of this Agreement until such time as it is discharged by the Municipality in accordance with Section 229 of the *Municipal Government Act*.

### 5.9 Assignment of Agreement

The Owner may, at any time and from time to time, transfer or assign this Agreement and its rights hereunder and may delegate its obligations hereunder to an assign, successor, heir, or purchaser of the land bound by this Agreement.

### 5.10 Written Notice

- (a) The Municipality may serve notice on the Owner personally or by ordinary mail which shall be deemed to have been received within three (3) business days of mailing, addressed to 3332758 Nova Scotia Limited, 343 Southgate Drive, Bedford, NS, B4A 4M6 or at any other address provided by the Owner.
- (b) The Owner may serve notice on the Municipality by registered mail addressed to the Chief Administrative Officer, Municipality of the District of West Hants, 76 Morison Drive, P.O. Box 3000, Windsor, NS, B0N 2T0, or at any successor address provided by the Municipality to the Owner.

### 5.11 Full Agreement

This agreement constitutes the entire agreement and contract entered into by the Municipality and the Owner. No other agreement or representation, oral or written, shall be binding.

**IN WITNESS WHEREOF** this Agreement was properly executed by the respective parties hereto on the day and year first above written.

**SIGNED, SEALED AND DELIVERED ) WEST HANTS REGIONAL MUNICIPALITY**

In the presence of:

\_\_\_\_\_  
Witness ) Per: \_\_\_\_\_  
Abraham Zebian, Mayor

\_\_\_\_\_  
Witness ) Per: \_\_\_\_\_  
Clerk

)  
)  
)  
)

**3332758 NOVA SCOTIA LIMITED**

Per: \_\_\_\_\_

\_\_\_\_\_  
Witness

)  
)  
)  
)

Xhavid Kuka, President

Per: \_\_\_\_\_

\_\_\_\_\_  
Witness

)  
)

Jani Mroshaj, Vice President

**PROVINCE OF NOVA SCOTIA  
COUNTY OF HANTS**

**ON THIS**                      day of                      , A.D. 2021, before me, the subscriber,  
personally came and appeared                      , a  
subscribing witness to the foregoing Indenture, who, having been by me duly  
sworn, made oath and said that **WEST HANTS REGIONAL MUNICIPALITY**, one  
of the parties thereto, caused the same to be executed in its name and on its behalf  
and its corporate seal to be thereunto affixed in h                      presence.

---

A Commissioner of the Supreme Court of Nova Scotia

**PROVINCE OF NOVA SCOTIA  
COUNTY OF HANTS**

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personally came and appeared                      , a  
subscribing witness to the foregoing Indenture, who, having been by me duly  
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delivered the same in h                      presence.

---

A Commissioner of the Supreme Court of Nova Scotia

**CANADA**  
**PROVINCE OF NOVA SCOTIA**

**AFFIDAVIT & PROOF OF EXECUTION**

I, **NAME AND RESIDENCE** , Nova Scotia, make oath and say that:

1. I am **POSITION** of **3332758 NOVA SCOTIA LIMITED**, the "Corporation". Except as otherwise stated I have personal knowledge of the matters to which I have sworn in this Affidavit.
2. I acknowledge that I executed the foregoing instrument on behalf of the Corporation on the date of this affidavit; this acknowledgment is made for the purpose of registering such instrument pursuant to s.31(a) of the Registry Act, R.S.N.S. 1989, c.392 or ss.79 and 83 of the Land Registration Act as the case may be.
3. I verify that I have the authority to execute the foregoing instrument on behalf of the corporation and thereby bind the Corporation.
4. The Corporation is a resident of Canada under the Income Tax Act (Canada).
5. The ownership of a share or an interest in a share of the Corporation does not entitle the owner of such share or interest in such share to occupy a dwelling owned by the Corporation.

I certify that on this **DATE**, 2021 the Deponent came before me, made oath, and swore the foregoing affidavit at **PLACE**, Nova Scotia.

---

Print Name:  
Authority (e.g. Commissioner of  
Oaths): Please affix seal

AFFIDAVIT OF CLERK  
WEST HANTS REGIONAL MUNICIPALITY

I, \_\_\_\_\_ of \_\_\_\_\_, Hants County, Nova Scotia make oath and swear that:

1. I am the Clerk of West Hants Regional Municipality (The "Municipality") and I have personal knowledge of the matters to which I have sworn in this Affidavit.
2. The Municipality is a body corporate pursuant to the Municipal Government Act, S.N.S. 1988, c.18, as amended.
3. I acknowledge that the Municipality executed the attached Instrument by its proper designates duly authorized in that regard under seal on the date of this Affidavit pursuant to subsection 13(3) of the Municipal Government Act, S.N.S. 1988, c.18, as amended. This acknowledgement is made pursuant to subsection 31(a) of the Registry Act, R.S.N.S. 1989, c.392 and/or clause 79(1)(a) of the Land Registry Act, S.N.S. 2001, c.6, as amended, for the purpose of registering or recording the Instrument.
4. The Municipality is resident in Canada for the purposes of the Income Tax Act (Canada).

Sworn before me at \_\_\_\_\_, Nova Scotia, this \_\_\_\_\_, 2021.

\_\_\_\_\_  
A BARRISTER/COMMISSIONER OF THE  
SUPREME COURT OF NOVA SCOTIA  
Print name/affix seal

\_\_\_\_\_  
CLERK

I CERTIFY that on this date \_\_\_\_\_ personally came before me and swore under oath the foregoing Affidavit.

\_\_\_\_\_  
A BARRISTER/COMMISSIONER OF THE  
SUPREME COURT OF NOVA SCOTIA  
Print name/affix seal

## **SCHEDULE A**

Property Description taken From Property Online May 26, 2021

### **PID 45354065**

Place Name: GRAY STREET WINDSOR

Municipality/County: TOWN OF WINDSOR/HANTS COUNTY

Designation of Parcel on Plan: LOT W-7A

Title of Plan: PLAN OF SUBDIVISION OF LOT W-7A, LANDS OF MANNEX HOLDINGS LTD, WINDSOR, PARCEL A ADDED TO BLOCK W-7 TO FORM LOT W-7A, REMAINDER OTW-6A

Registration County: HANTS COUNTY

Registration Number of Plan: 82183444

Registration Date of Plan: 2005-06-13 14:16:27

### **PID 45059938**

ALL that lot of land situate at the Town of Windsor, County of Hants, Province of Nova Scotia, shown as Block W-6 on a plan of survey entitled Block W-6 & W-7, Lands Conveyed to Mannex Holdings Limited, dated February 19, 2002, by Bruce Lake, N.S.L.S. and registered in the Registry of Deeds at Windsor, Nova Scotia on November 19, 2004 as Plan No. 76688598.

SAVING and EXCEPTING Parcel A as shown on registered Plan No. 82183444





## WEST HANTS REGIONAL MUNICIPALITY REPORT

Information <input type="checkbox"/>	Recommendation <input checked="" type="checkbox"/>	Decision Request <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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**To:** Mayor Zebian and Members of West Hants Regional Municipality Council

**Submitted by:** \_\_\_\_\_  
Sara Poirier, Senior Planner

**Date:** 2021-09-28

**Subject:** WLUB Amendment: Reduced Lot Specification Requirements for PID 45358314, 45366986, 45055167, 45276441, 45190493 and 45364775, Payzant Drive; File 21-09 D

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### LEGISLATIVE AUTHORITY

Section 210 of the Municipal Government Act.

### RECOMMENDATION

Should Council wish to amend the Windsor Land Use By-law following completion of the Public Hearing, the following motion would be in order:

...that Council gives Second Reading to and approves amending the text of the Windsor Land Use By-law to reduce the minimum lot specification requirements for PID 45358314, 45366986, 45055167, 45276441, 45190493 and 45364775 owned by Brison Developments Limited and 3229190 Nova Scotia Limited on Payzant Drive in a manner substantively the same as the draft set out in Attachment A of the report to the Planning and Heritage Advisory Committee, report #21-09 B dated July 8, 2021, and amending section 5.34 (a) of the Windsor Land Use By-law, Setback for Flanking Yard, to ensure that required flankage yards are the same as the required front yard in all zones, unless otherwise specified within the zone requirements.

### BACKGROUND

Property <input checked="" type="checkbox"/>	Public Opinion <input type="checkbox"/>	Environment <input type="checkbox"/>	Social <input type="checkbox"/>	Economic <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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An application was received from Mr. Mitch Brison, Director of Brison Developments Limited and 3229190 Nova Scotia Limited, to amend the Windsor Land Use By-law to reduce the minimum lot specification requirements on specific PIDs (45358314, 45366986, 45055167, 45276441, 45190493 and 45364775) on Payzant Drive to conform with The Crossing development agreement (2019).

## DISCUSSION

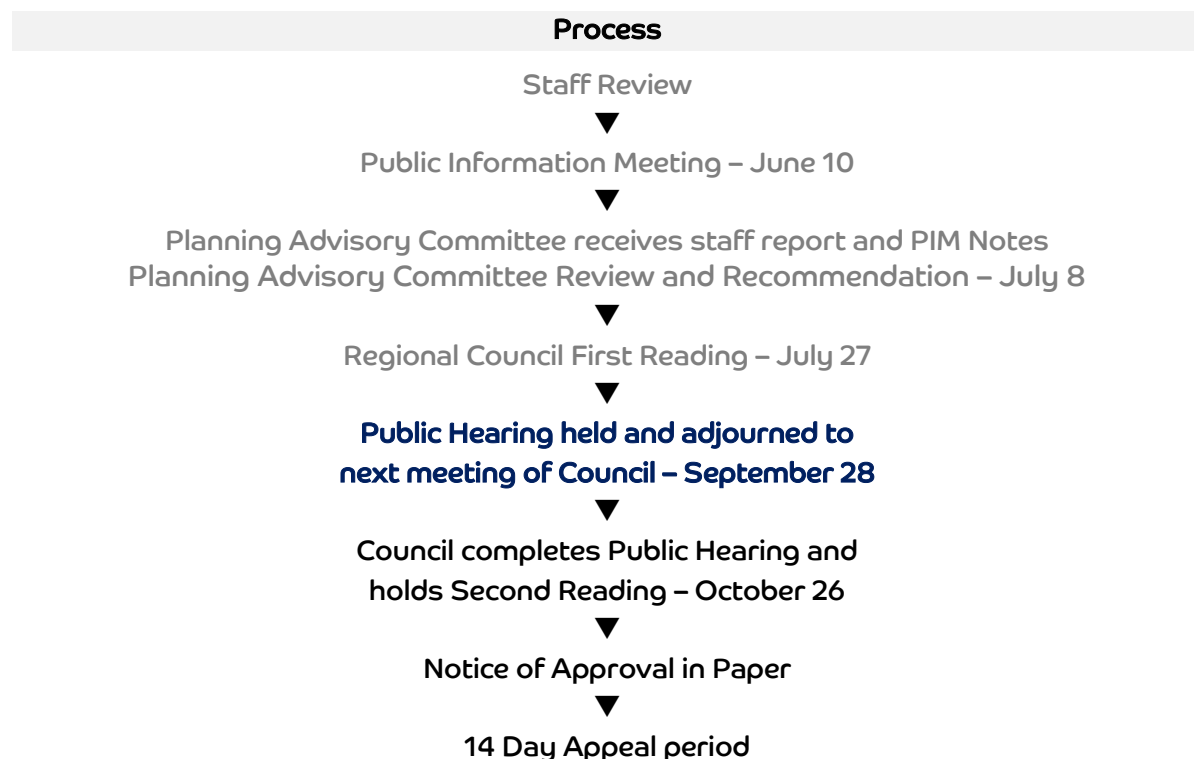
A Public Information Meeting (PIM) was held virtually and broadcast live on the Municipal Facebook page on June 10, 2021 to consider the requested amendments (Appendix A).

On July 8, 2021 staff presented a recommendation report to the Planning Advisory Committee / Heritage Advisory Committee (PAC/HAC) (Appendix B). The PAC/HAC recommended in favour of the proposed amendments.

Council held first reading on July 27, 2021.

## NEXT STEPS

The process for this application is as follows:



## FINANCIAL IMPLICATIONS

There are no financial implications to the Municipality in relation to the filing of this report.

## **ATTACHMENTS**

- Appendix A**      2021-06-10 Public Information Meeting Notes – File 21-09 A
- Appendix B**      2021-07-09 Staff Report – WLUB Amendment: Reduced Lot  
Specification Requirements for PID 45358314, 45366986, 45055167,  
45276441, 45190493 and 45364775, Payzant Drive; File 21-09 B
- Appendix C**      Additional Draft Amendments to the Windsor Land Use By-law:  
Flankage Yards

## **CHIEF ADMINISTRATIVE OFFICER REVIEW**

I support the requested amendments of the applicant and the recommendation of PAC / HAC.

Report Prepared by: \_\_\_\_\_  
Sara Poirier, Senior Planner

Report Reviewed by: \_\_\_\_\_  
Madelyn LeMay, Director of Planning and Development

Report Approved by:  \_\_\_\_\_  
Mark Phillips, Chief Administrative Officer

## **Attachment A**

### **Public Information Meeting Notes**

**June 10, 2021 – June 25, 2021**

**File 21-09 A**

**Payzant Drive, Windsor; PID 45358314, 45366986, 45055167, 45276441, 45190493 and 45364775**

<b>Meeting date and time</b>	A virtual Public Information Meeting was held on June 10, 2021 beginning at 6 p.m. The meeting was live broadcast on the Municipal Facebook page.
<b>Attending</b>	<p>In attendance:</p> <p>One (1) Councillor:</p> <ul style="list-style-type: none"><li>• Councillor Ivey (Chair)</li></ul> <p>Four (4) members of staff:</p> <ul style="list-style-type: none"><li>• Director LeMay</li><li>• Planner Poirier</li><li>• Meeting Secretary Lake</li><li>• CAO Phillips</li></ul> <p>As this meeting was held virtually there were no members of the public present.</p>
<b>Applicant name and site location (Civic address and PID)</b>	Planner Poirier outlined the request from Mitch Brison, Director of Brison Developments Limited and 3229190 Nova Scotia Limited, to amend the text of the Windsor Land Use By-law to permit reduced minimum lot specifications in the Single Unit Residential (R-1) and Two Unit Residential (R-2) zone in Windsor for specific PID's on Payzant Drive (PID 45358314, 45366986, 45055167, 45276441, 45190493 and 45364775).
<b>Comments</b>	<p>Comments from the public could be submitted to Planner Poirier by mail, e-mail and telephone between June 10 and June 25, 2021.</p> <p>No written or verbal comments were received from the public.</p>
<b>Adjournment</b>	The meeting was adjourned at 6:10 p.m.



**WEST HANTS REGIONAL MUNICIPALITY REPORT**

Information <input type="checkbox"/>	Recommendation <input checked="" type="checkbox"/>	Decision Request <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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**To:** Members of Planning and Heritage Advisory Committee

**Submitted by:** \_\_\_\_\_  
Sara Poirier, Planner

**Date:** 2021-07-08

**Subject:** WLUB Amendment: Reduced Lot Specification Requirements for PID 45358314, 45366986, 45055167, 45276441, 45190493 and 45364775, Payzant Drive; File 21-09 B

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**LEGISLATIVE AUTHORITY**

Section 210 of the Municipal Government Act.

**RECOMMENDATION**

Staff recommends that the PAC/HAC forward a positive recommendation by passing the following motion:

that PAC/HAC recommends that Council give First Reading and hold a Public Hearing to consider amending the text of the Windsor Land Use By-law to reduce the minimum lot specification requirements for PID 45358314, 45366986, 45055167, 45276441, 45190493 and 45364775 owned by Brison Developments Limited and 3229190 Nova Scotia Limited on Payzant Drive in a manner substantively the same as the draft set out in Attachment A of the report to the Planning and Heritage Advisory Committee, report #21-09 B dated July 8, 2021.

**BACKGROUND**

A completed application was received on May 6, 2021 from Mitch Brison to amend the Windsor Land Use By-law to reduce the minimum lot size and side yard requirements on specific PIDs (45358314, 45366986, 45055167, 45276441, 45190493 and 45364775) on Payzant Drive to conform with The Crossing development

agreement (2019). Mitch Brison is the Director of Brison Developments Limited and 3229190 Nova Scotia Limited.

## **DISCUSSION**

The subject lots are located on Payzant Drive and all except 187 Payzant Drive (PID 45276441) are currently vacant. 187 Payzant Drive (PID 45276441) has a single unit dwelling on the lot.

The subject lots are designated Residential on the Generalized Future Land Use Map of the Windsor Municipal Planning Strategy (WMPS) (Figure 1). Part 5.0 of the WMPS contains the overall intention for properties designated Residential in Windsor.

Figure 2 shows an excerpt of the Zoning map of the Windsor Land Use By-law. The subject lots have a variety of different residential zoning including Single Unit Residential (R-1), Two Unit Residential (R-2), Medium Density Residential (R-3), and High Density Residential (R-4).

The subject lots abut properties with a variety of different zoning and designations (Table 1).

*Table 1: Lots Abutting Subject Lots by Direction*

North	<p>The subject lots abut residential development on Underwood Drive, Burgess Crescent and Fraser Drive which are designated Residential and zoned Single Unit Residential (R-1), Two Unit Residential (R-2) and High Density Residential (R-4). There is a park on Burgess Crescent which is designated Community Use and zoned Open Space.</p> <p>There are also vacant lots to the north of PID 45276441 on the west side of Payzant Drive which are designated Agriculture and zoned Agriculture (AG).</p> <p>The Hants Community Hospital is located on Payzant Drive to the north of the subject lots. The Hospital site is designated Community Use and zoned Institutional (I).</p>
East	<p>The Crossing development abuts the subject lots to the east. The Crossing development is permitted by development agreement however is designated Residential in the West Hants Municipal Planning Strategy and zoned Multiple Residential (R-3) and Two Unit Residential (R-2) in the West Hants Land Use By-law.</p>
South	<p>The Avon View High School which is designated Community Use and zoned Institutional (I) is to the south of the subject lots. There are also dwellings to the south of PID 45276441 on the west side of Payzant Drive which are designated Residential and zoned Two Unit Residential (R-2).</p>

West	The Windsor Elementary School property on Tremain Crescent abuts the subject lots to the west. The property is designated Community Use and zoned Institutional (I).
------	--

### ***The Crossing***

The Crossing development in Garlands Crossing was permitted by development agreement originally approved by the former West Hants Council in 2008. Since then, the agreement has been amended three times at the request of the owner, in 2014, 2017 and 2019. The development agreement permits the development of a manufactured home park and grouped dwellings within a land lease community and a mixed residential area. The minimum lot specifications for single- and two-unit dwellings in the mixed residential area as specified in The Crossing development agreement (2019) are shown in Table 2.

*Table 2: The Crossing Development Lot Specifications*

<b>Type of Unit</b>	<b>Minimum Frontage</b>	<b>Minimum Area</b>	<b>Minimum Side Yard</b>	<b>Minimum Front Yard</b>	<b>Minimum Rear Yard</b>
Single Unit Dwelling	40 ft (12.19 m)	4,000 sq. ft (371.60m <sup>2</sup> )	4 ft (1.22 m)	15 ft (4.57m)	25 ft (7.62 m)
Two Unit Dwelling	20 ft (6.1 m) / unit	2,000 sq. ft. (185.80 m <sup>2</sup> )	4 ft (1.22 m)	15 ft (4.57 m)	25 ft (7.62m)

Mr. Brison, the applicant for this Windsor Land Use By-law request, is also the Director of the numbered company that owns the Crossing development. He is proposing to develop single- and two-unit dwellings on the majority of the subject lots which would be permitted as-of-right as per the current zoning. The applicant is also proposing that this residential development in the community of Windsor would connect to the Crossing via a new public street. Therefore, the applicant is requesting Council consider amending the Windsor Land Use By-law to permit the same minimum lot specifications for single- and two-unit dwellings as is permitted in the mixed residential area of the Crossing (Attachment A).

The Fire Chief had concerns regarding the proposed minimum side yard requirements with regard to potential fire spread. The Manager of Building and Fire Inspection Services stated that as per the National Building Code when the setback is 6.6 ft (2m) or less, the permitted openings in a building, such as windows and doors, are required to be cut in half for single- or two-unit dwellings (side by side). If the applicant does a residential unit over another residential unit within 4 ft (1.2 m) of the lot line then they are into the possibility of non-combustible construction and non-combustible cladding. The National Building Code requirements take precedence over any

minimum lot requirements in the Windsor Land Use By-law therefore staff conclude that the potential of fire spread will be minimized.

## **DOCUMENT REVIEW**

The Province of Nova Scotia has six (6) Statements of Provincial Interests (SoPI) which form part of the *Municipal Government Act* and provide municipalities guidance on certain aspects of development in the Province: drinking water, flood risk areas, agricultural land, infrastructure, housing and the development of the Nova Centre. The SoPI related to housing specifies that the goal is to “provide housing opportunities to meet the needs of all Nova Scotians” by incorporating housing policies into the municipal planning documents which address affordable housing, special-needs housing, rental accommodation, and providing for manufactured housing. The second provision of the SoPI states that “depending upon the community and the housing supply and need, the measures that should be considered in planning documents include: enabling higher densities, smaller lot sizes and reduced yard requirements that encourage a range of housing types.” This application would be consistent with the Statement of Provincial Interest regarding housing.

## **Windsor Municipal Planning Strategy**

Part 3.0 of the Windsor Municipal Planning Strategy outlines the concepts, principles, and initiatives for development within the community of Windsor. One of the development principles in Section 3.1.1 is to “*encourage compact residential and commercial growth similar to existing development in the older sections of Town which makes best use of municipal infrastructure including roads, sidewalks and water and sewer services.*” Reduced minimum lot specifications have many benefits including compact development patterns which reduce reliance on vehicles and create more walkable neighbourhoods. Reduced minimum lot specifications also make more efficient use of municipal services including sewer and water which aligns with the WMPS development principles.

## **Environmental Constraints Areas**

One of the subject lots (PID 45358314) on the west side of Payzant Drive is located within the Environmental Constraints area designation and is identified as dykeland (Figure 3). The Environmental Constraints designation means that the subject lot has been identified as marshland, specifically within the Tregothic Marsh. Properties within the Environmental Constraints designation have to meet more stringent requirements, including completing an environmental study, before being issued a development permit for any new building.

The Agricultural Marshland Conservation Act (2001) protects marshland for agricultural purposes. Section 41 of the *Act* states that the provincial Marshland Administrator can authorize a variance to permit other types of development on the marshland. The owner applied to the Tregothic Marshbody and the Provincial



Marshland Administrator for authorization to construct a stormwater management pond and residential development on the subject lot. On May 7, the Provincial Administrator for the Nova Scotia Agriculture Mashland Act approved the application to construct a stormwater management pond and residential uses on the subject lot as per a site plan that was attached to the application. Any construction on site will have to meet the requirements of the underlying zone, Section 27.0 of the WLUB, and any other requirements of the Regional Municipality.

### ***WMPS Specific Criteria***

There are no specific criteria for this text amendment.

### ***WMPS General Criteria***

The proposed text amendment meet the general criteria for amendments and development agreements set out in WMPS Policy 16.3.1. These criteria are examined in detail in Attachment B. In summary:

- the proposal is not premature or inappropriate for the area;
- no municipal costs related to the proposal are anticipated;
- the Development Officer, Manager of Building and Fire Inspection Services, Director of Public Works, and Manager of Public Works Operations have no concerns.

## **Windsor Land Use By-law**

### ***Text Amendment***

To permit the requested reduced minimum lot specifications in the Single Unit Residential (R-1) and Two Unit Residential (R-2) zones, an amendment to the text of the Windsor Land Use By-law (WLUB) would be required. The proposed text amendments are located in Attachment A.

### ***Map Amendment***

As the subject lots currently have residential zoning, an amendment to the Zoning Map of the WLUB is not required as part of this application.

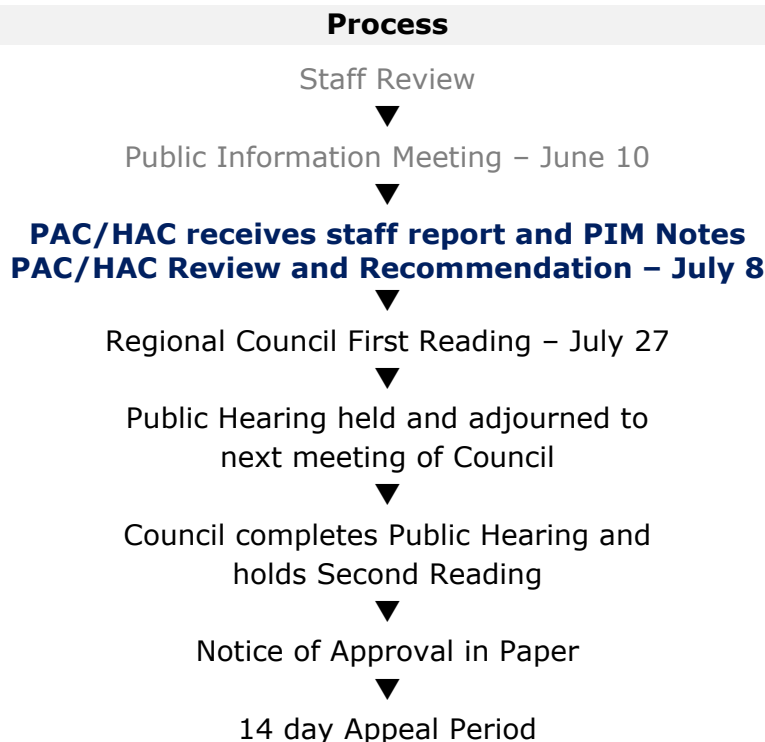
## **MUNICIPAL CLIMATE CHANGE ACTION PLAN**

The Municipal Climate Change Action Plan (MCCAP) for Windsor (2014) highlights two simulated flooding scenarios. The first scenario is based on a storm surge that occurred in 1997, which shows the expected damage is to occur along the coastline. The second scenario shows the simulated flooding extent for probable maximum flood due to climate change. Under this scenario most of the community of Windsor including one of the subject lots (PID 45358314) within the Tregothic Marsh Body will experience extensive flooding. As noted above properties within the area identified as dykeland and within the Environmental Constraints designation have to complete an

environmental study before being issued a development permit for any new building to ensure any potential flooding will not affect the proposed uses.

## NEXT STEPS

As noted above, the proposed amendment has been considered within the context of the general policies of the WMPS and is consistent with the intent, objectives and policies and criteria of the WMPS. As a result, it is reasonable to amend the text of the Windsor Land Use By-law to permit reduced minimum lot specification requirements for PID 45358314, 45366986, 45055167, 45276441, 45190493 and 45364775 on Payzant Drive.



## FINANCIAL IMPLICATIONS

There are no anticipated costs to the Municipality in regard to this development.

## ALTERNATIVES

In response to the application, PAC/HAC may recommend that Council:

- hold First Reading and authorize a Public Hearing to approve the WLUB amendment as drafted or as specifically revised by direction of PAC/HAC;
- provide alternative direction such as requesting further information on a specific topic.

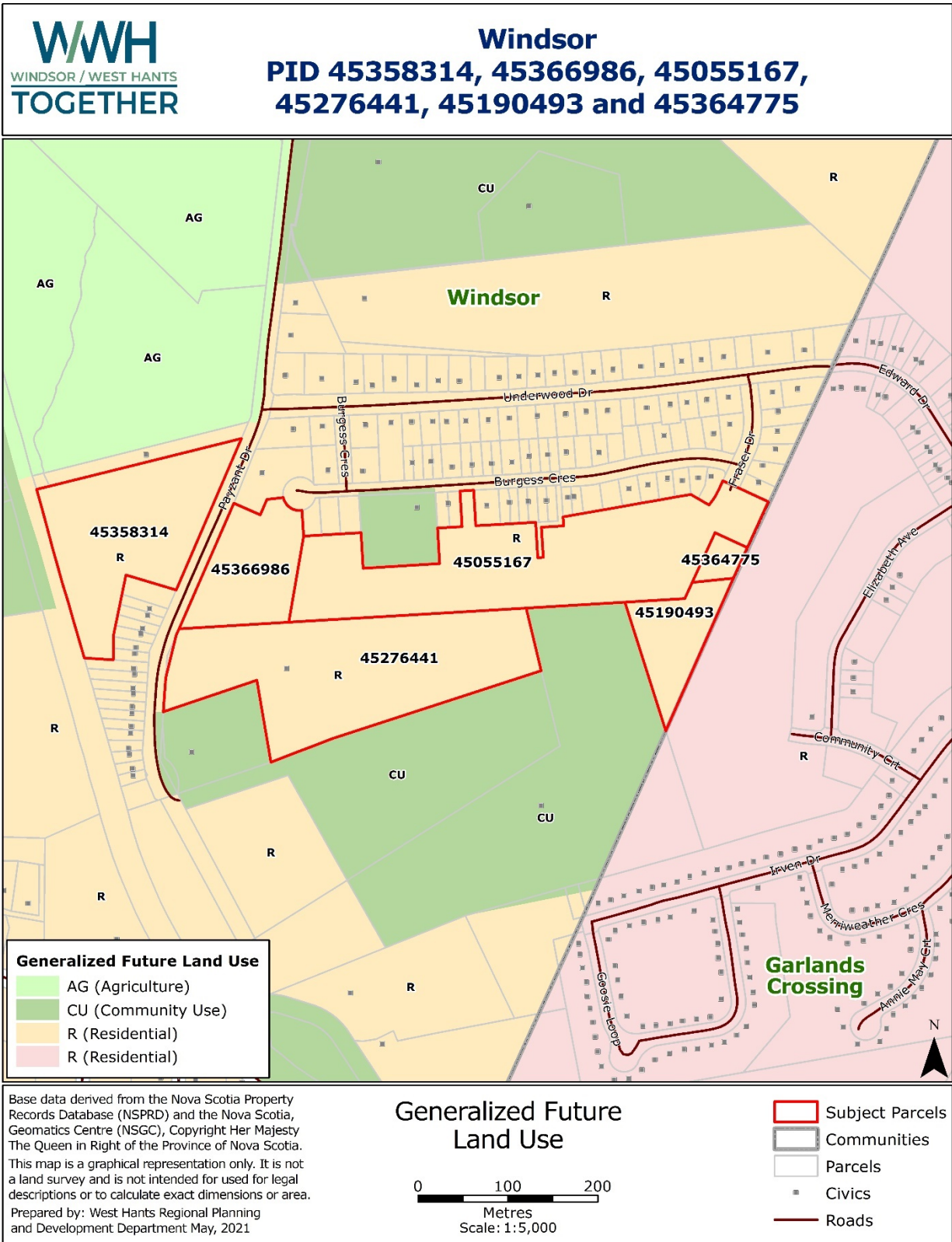
## **ATTACHMENTS**

Figure 1	Windsor GFLUM Extract
Figure 2	Windsor Zoning Map Extract
Figure 3	Environmental Constraints and Dykeland Excerpt
Attachment A	Draft Amendments to the Windsor Land Use By-law
Attachment B	General Criteria for Amendment

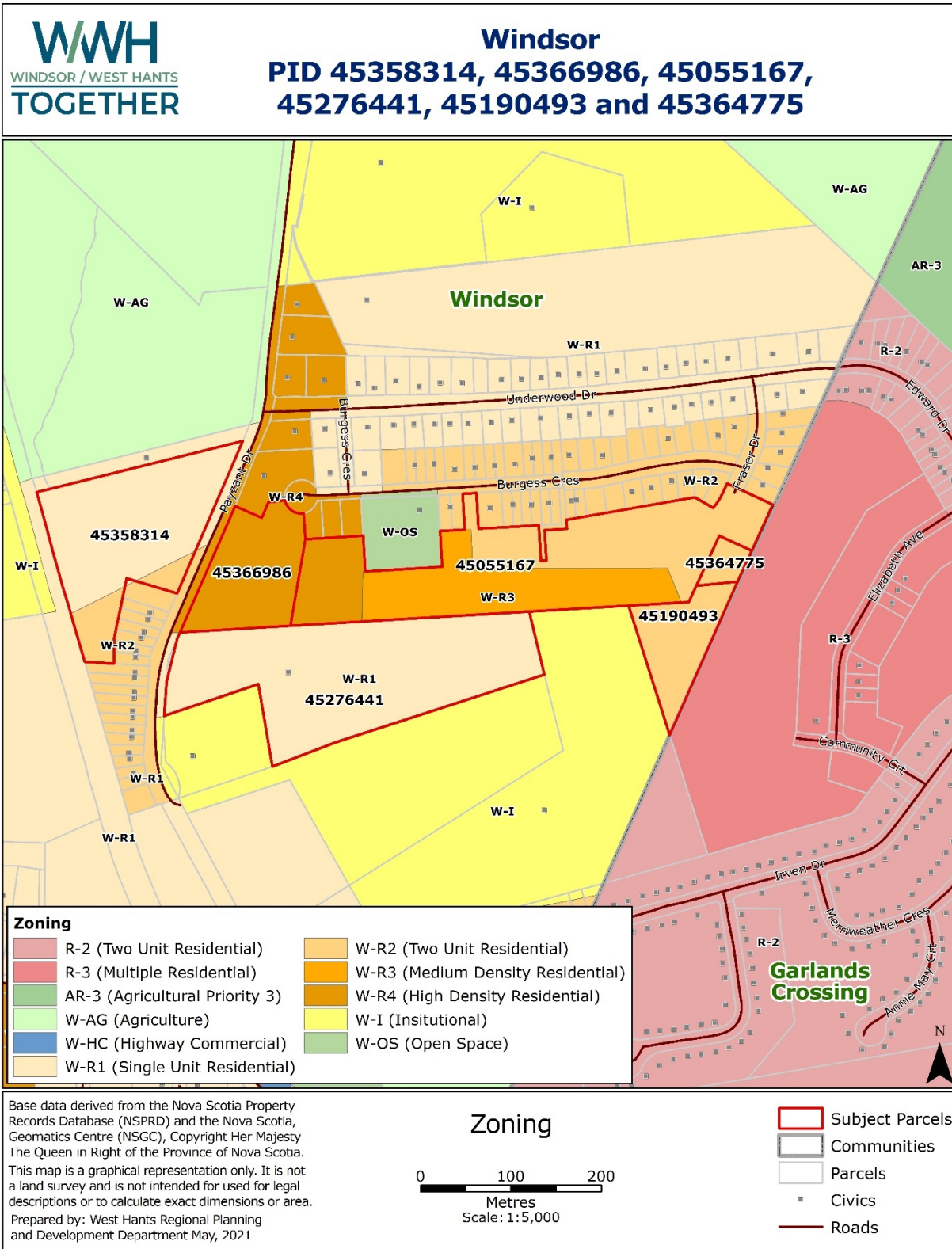
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Report Reviewed by: \_\_\_\_\_  
Madelyn LeMay, Director of Planning and Development

**Figure 1**  
**Windsor GFLUM Extract**

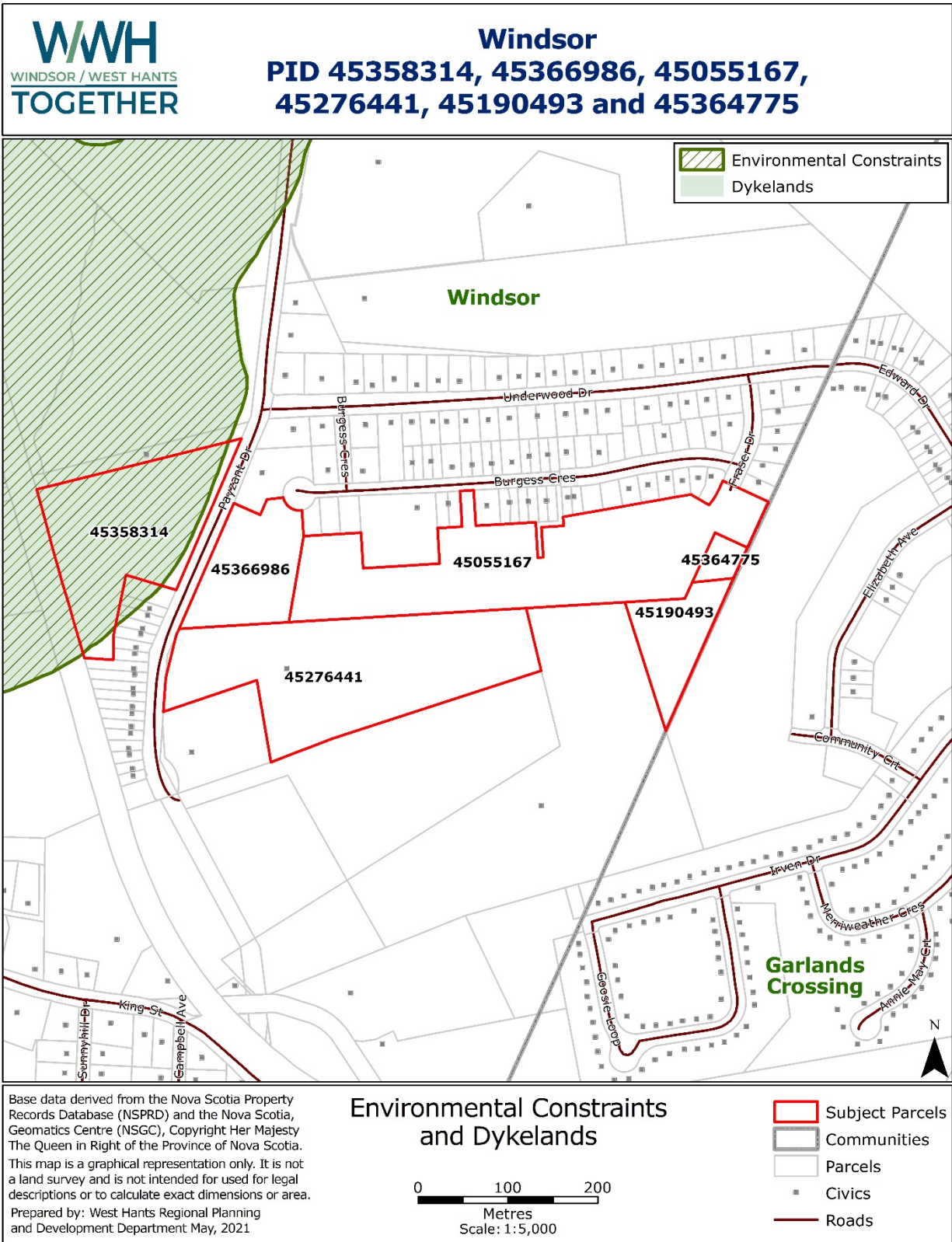


**Figure 2  
Windsor Zoning Map Extract**





**Figure 3**  
**Environmental Constraints and Dykeland Excerpt**



## Attachment A

### Draft Amendments to the Windsor Land Use By-law

Text amendments to the Single Unit Residential (R-1) and Two Unit Residential (R-2) zones of the Windsor Land Use By-law to reduce the minimum lot specification requirements for specific PIDs (45358314, 45366986, 45055167, 45276441, 45190493 and 45364775) owned by Brison Developments Limited and 3229190 Nova Scotia Limited on Payzant Drive. Note: Amendments in [blue](#).

- 1. Amend Part 8.2, *R-1 Zone General Requirements*, in Part 8.0 of the Windsor Land Use By-law, *Single Unit Residential (R-1)*, to include an exception of reduced minimum lot specifications for PID 45358314, 45366986, 45055167, 45276441, 45190493 and 45364775, so that it reads as follows:**

#### 8.0 SINGLE UNIT RESIDENTIAL (R-1)

##### Permitted Uses

8.1 The following uses shall be permitted in the Single Unit Residential (R-1) zone:

- Single unit dwellings
- Accessory apartments

##### R-1 Zone General Requirements

(Amendment WLUB 10-01 Effective July 16, 2010)

8.2 (a) In the R-1 zone, no development permit shall be issued except in conformity with the following:

		with town services	with on-site services
<b>Minimum lot area</b>		6,000 ft <sup>2</sup> (557.40 m <sup>2</sup> ) 7,000 ft <sup>2</sup> (650.30 m <sup>2</sup> ) for corner lots	30,000 ft <sup>2</sup> (2,787.00 m <sup>2</sup> )*
<b>Minimum lot frontage</b>		60 ft (18.29 m)	120 ft (36.58 m)
<b>Minimum front yard</b>		25 ft (7.62 m)	
<b>Minimum rear yard</b>		25 ft (7.62 m)	
<b>Minimum side yard</b>	<b>one side</b>	4 ft (1.22 m) for the first storey plus 2 ft (0.61 m) for each additional storey	
	<b>other side</b>	10 ft (3.05 m)	
<b>Maximum height of main building</b>		35 ft (10.67 m)	
<b>Maximum height of accessory building</b>		15 ft (4.57 m)	

\* subject to Nova Scotia Department of Environment & Labour requirements

(b) **Exception for PID 45336773** - Notwithstanding section 8.2(a), the minimum side yard requirement for an approximately 13.6 acre parcel of land owned by Brison Developments Limited, Payzant Drive (PID 45336773) shall be:

- one side: 4 ft (1.22 m) for the first storey plus 2 ft (0.61 m) for each additional storey;
- and
- other side: 8 ft (2.44 m).

(c) **Exception for PID 45358314, 45366986, 45055167, 45276441, 45190493 and 45364775 –** Notwithstanding Section 8.2 (a), the lot specifications for the lots owned by Brison Developments (PID 45358314) and 3229190 Nova Scotia Limited (PID 45366986, 45055167, 45276441, 45190493 and 45364775) shall be:

<b>Minimum lot area</b>	4,000 ft <sup>2</sup> (371.60 m <sup>2</sup> ) 5,000 ft <sup>2</sup> (464.5 m <sup>2</sup> ) for corner lots
<b>Minimum lot frontage</b>	40 ft (12.19 m)
<b>Minimum front yard</b>	15 ft (4.57 m)
<b>Minimum flankage yard</b>	15 ft (4.57 m)
<b>Minimum rear yard</b>	25 ft (7.62 m)
<b>Minimum side yard</b>	4 ft (1.22 m)
<b>Maximum height of main building</b>	35 ft (10.67 m)
<b>Maximum height of accessory building</b>	15 ft (4.57 m)

### **Accessory Apartments - Special Requirements**

8.3 In addition to all other regulations of this By-law, the following provisions shall apply to accessory apartments in the R-1 zone:

- (a) not more than one accessory apartment shall be permitted per lot;
- (b) the accessory apartment shall be contained within or attached to the main dwelling;
- (c) no alterations shall change the roof line or increase the height of the existing dwelling except for the addition of dormers or structures necessary for public safety;
- (d) no new entrances shall be created on the front façade of the existing main dwelling;
- (e) additions shall be limited to the rear yard of the main dwelling;
- (f) the accessory apartment shall not exceed 25 percent of the total floor area of the structure;
- (g) lot coverage of the entire structure shall be limited to 50 percent; and
- (h) parking shall be provided as required in Section 5.25 in the side or rear yard of the lot.

**2. Amend Part 9.2, *R-2 Zone General Requirements*, in Part 9.0 of the Windsor Land Use By-law, *Two Unit Residential (R-2)*, to include an exception of reduced minimum lot specifications for PID 45358314, 45366986, 45055167, 45276441, 45190493 and 45364775, so that it reads as follows:**

## **9.0 TWO UNIT RESIDENTIAL (R-2)**

### **Permitted Uses**

9.1 The following uses shall be permitted in the Two Unit Residential (R-2) zone:



- Uses permitted in the R-1 zone subject to the R-1 zone requirements
- Converted dwellings to a maximum of two dwelling units
- Two unit dwellings

## R-2 Zone General Requirements

(Amendment WLUB 10-01 Effective July 16, 2010)

9.2 (a) In the R-2 zone, no development permit shall be issued except in conformity with the following:

Minimum lot area	3,500 ft <sup>2</sup> /unit (325.15 m <sup>2</sup> /unit)
Minimum lot frontage	35 ft/unit (10.67 m/unit)
Minimum front yard	25 ft (7.62 m)
Minimum rear yard	25 ft (7.62 m)
Minimum side yard	10 ft (3.05 m)
Maximum height of main building	35 ft (10.67 m)
Maximum height of accessory building	15 ft (4.57 m)

(b) **Exception for PID 45336773** - Notwithstanding section 9.2(a), the minimum side yard requirement for an approximately 13.6 acre parcel of land owned by Brison Developments Limited, Payzant Drive (PID 45336773) shall be 8 ft (2.44 m).

(c) **Exception for PID 45358314, 45366986, 45055167, 45276441, 45190493 and 45364775** – Notwithstanding Section 9.2 (a), the lot specifications for the lots owned by Brison Developments (PID 45358314) and 3229190 Nova Scotia Limited (PID 45366986, 45055167, 45276441, 45190493 and 45364775) shall be:

Minimum lot area	2,000 ft <sup>2</sup> (185.80 m <sup>2</sup> ) / unit 3,000 ft <sup>2</sup> (278.7 m <sup>2</sup> ) / unit for corner lots
Minimum lot frontage	20 ft (6.1 m) / unit
Minimum front yard	15 ft (4.57 m)
Minimum flankage yard	15 ft (4.57 m)
Minimum rear yard	25 ft (7.62 m)
Minimum side yard	4 ft (1.22 m)
Maximum height of main building	35 ft (10.67 m)
Maximum height of accessory building	15 ft (4.57 m)

## Converted Dwellings - Special Requirements

9.3 In addition to all other regulations, the following provisions shall apply to converted dwellings in the R-2 zone:

- all conversions shall be limited to one additional dwelling unit;
- no alterations shall change the roof line or increase the height of the existing dwelling except for the addition of dormers or structures necessary for public safety;
- no alteration shall be undertaken which will extend into the front or side yard of the lot;
- lot coverage of the entire structure shall be limited to 50 percent; and
- parking shall be provided as required in Section 5.25 in the side or rear yard of the lot.

**Services Required**

9.4 A development permit shall not be issued for a new residential dwelling of two or more units in the R-2 zone where the proposed development is not serviced with Town water and sewer.

**Subdivision of Semi-detached Units**

9.5 Semi-detached dwelling units located on an approved water and sewer serviced lot may be subdivided into lots provided each dwelling unit has separate service connections and provided all applicable provisions of the Town of Windsor Subdivision By-law and this By-law are met. No side yard shall be required along the common lot boundary dividing a semi-detached dwelling.

**Attachment B**  
**General Criteria for Amendment**

**Policy 16.3.1** In considering development agreements and amendments to the Town of Windsor Land Use By-law, in addition to the criteria set out in various policies of this Strategy, Council shall consider:

<b>CRITERIA</b>	<b>COMMENT</b>
<i>(a) whether the proposal is considered premature or inappropriate in terms of:</i>	
<i>(i) the adequacy of sewer and water services;</i>	The Director of Public Works commented that there are no issues in regard to the adequacy of sewer and water services. They also commented that there are no public works related concerns related to reduced minimum lot requirements.
<i>(ii) the adequacy of school facilities;</i>	The subject lots are already zoned for residential uses therefore the school board was not contacted to comment on the proposed WLUB text amendment.
<i>(iii) the adequacy of fire protection;</i>	<p>The local Fire Chief commented that they had some concern with the reduced side yard widths with regard to potential fire spread. However, the Manager of Building and Fire Inspection Services stated that they have no concerns with this application with regard to fire safety. The National Building Code would take precedence over any minimum lot sizes proposed in the Land Use By-law.</p> <p>The Manager of Building and Inspection Services added that the National Building Code requires that "when the setback is 2m (78 ¾") or less, the permitted openings are required to be cut in half for single or two unit dwellings (side by side). If they do a residential unit over another residential unit, then they are into possibility of non-combustible construction &amp; non-combustible cladding being within 4'."</p> <p>The applicant is aware of the Manager of Building and Inspection Services comments and will have to ensure the construction meets the National</p>

	Building Code requirements prior to receiving building and occupancy permits.
<i>(iv) the adequacy of road networks adjacent to, or leading to the development; and</i>	The Manager of Public Works Operations and Traffic Authority for the Municipality commented that there would be no significant impact to the adequacy of road networks adjacent to or leading to the development by permitting reduced minimum lot specification requirements on these specific lots.
<i>(v) the financial capacity of the Town to absorb any costs relating to the development.</i>	There are no anticipated costs to the Municipality related to this WLUB amendment.
<i>(b) the suitability with any aspect relative to the movement of auto, rail and pedestrian traffic;</i>	<p>The Manager of Public Works Operations and Traffic Authority commented that there are no concerns with respect to the movement of auto and pedestrian traffic with this WLUB amendment.</p> <p>There is an existing sidewalk on the east side of Payzant Drive. There is no rail transportation in the area.</p>
<i>(c) the adequacy of the dimensions and shape of the lot for the intended use;</i>	The Development Officer stated that they have no concerns with regard to the adequacy of the dimensions and shape of the lots for the proposed amendment. They added that this is consistent with what has already been established across the Windsor/West Hants border at the Crossing and will provide for greater density. There have been no development issues as they understand it on the Crossing side, and they don't anticipate any on the Windsor side.
<i>(d) the pattern of development which the proposal might create;</i>	The surrounding area has a variety of residential zoning. The Hants Community Hospital, Avon View High School and a few commercial uses are also located on Payzant Drive. This proposal is not anticipated to change the pattern of development in the area.

	<p>The Development Officer commented that “smaller lot sizes and reduced setbacks will provide for greater density. This would increase housing availability as well as provide increased revenues for the municipality.”</p>
<p><i>(e) the suitability of the area in terms of steepness of grade, soil and geological conditions, location of water courses, marshes or bogs and susceptibility of flooding;</i></p>	<p>PID 45358314 on the west side of Payzant Drive is relatively flat and has a watercourse near the rear lot line. As noted in the report, this subject lot (PID 45358314) is located within the Environmental Constraints area designation and is identified as dykeland. Any new construction on this subject lot will have to meet the requirements of Section 27.0 of the WLUB and any other requirements of the Regional Municipality.</p> <p>The Municipal Climate Change Action Plan (MCCAP) for Windsor (2014) shows that most of the community of Windsor including one of the subject lots (PID 45358314) would experience flooding under a simulated flooding extent for probable maximum flood due to climate change.</p> <p>PID 45276441 on the east side of Payzant Drive are relatively flat. The other subject lots on the east side of Payzant Drive (PID 45366986, 45055167, 45364775 and 45190493) slope upward towards Fraser Drive. There are no evident concerns in terms of steepness of grade, soil or geological conditions. It is the responsibility of the property owner to ensure the site is suitable for the proposed uses.</p>
<p><i>(f) whether the proposal meets the requirements of the appropriate provincial or federal agencies as well as whether it conforms to all other relevant municipal by-laws and regulations; and</i></p>	<p>All Municipal, Provincial and Federal regulations will have to be met.</p>
<p><i>(g) any other matter required by relevant policies of this Strategy.</i></p>	<p>All other matters have been addressed elsewhere in this report.</p>

**Appendix C**  
**Additional Draft Amendments to the Windsor Land Use By-law:**  
**Flankage Yards**

Text amendments to the general provisions for all zones of the Windsor Land Use By-law to ensure that required flankage yards are the same as the required front yard in all zones unless otherwise specified within the zone requirements. Note: Amendments in blue.

1. Amend Section 5.34 (a), *Setback for Flanking Yard*, in Part 5.0 of the Windsor Land Use By-law, *General Provisions for all zones*, so that it reads as follows:

**Setback for Flanking Yard**

- 5.34 (a) ~~Notwithstanding anything else in this By-law, on a corner lot in any residential zone, the minimum yard requirement for the flanking yard shall be 25 ft (7.62 m).~~ The required flankage yard shall be the same as the required front yard in all zones, unless otherwise specified within the zone requirements.
- (b) No accessory building or structure shall be permitted within the required flanking yard.



**WEST HANTS REGIONAL MUNICIPALITY  
Mayors Report**

**To: West Hants Regional Municipality Council**

**Submitted by: Mayor Zebian**

**Date: September 28, 2021**

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I have been discussing many issues with residents over the last month such as the construction job of Willow Street in Hantsport, the roll out of internet through the Develop NS project, and various paving jobs that fall under the Provincial banner.

I attended the Windsor Legions AGM and presentation of plaque to West Hants Regional. A great group of very dedicated individuals who help many groups and residents in our Region. We are fortunate to have them.

I attended Kings Edgehill School's ceremony to present their students with a Duke of Edinburgh award. It was humbling to be in the presence of students who were dedicated to achieving growth within their communities.

I also attended an announcement by Minister John Lohr who announced the doubling of the for equalization grant for the '21-'22 year. It was welcome news. I also took the opportunity to discuss issues in our region such as housing and RCMP and also discussed post consolidation funding.

I have been actively promoting our region to new investors in the hopes we can see smaller developer/entrepreneurs look at individual lots of land and create more affordable choices that we desperately need. I will continue to market our region.

I've also been many residents to answer questions on various issues such as planning matters, bylaws, and helping to mitigate conflicts that can arise between neighbours.

On a final note, it was a wonderful evening on the weekend celebrating our staff and presenting milestone awards to them. We are fortunate to have staff who inspire greatness within our Region.





Committee of the Whole Excerpts  
September 14, 2021

### **Advocacy for Active Transport – Bog Road**

The Active Avon Active Transportation Committee began discussions with NS Transportation & Infrastructure Renewal (TIR) in 2013 to have the Blue Route incorporated into any future road upgrade plans in West Hants.

#### **The recommended motion was...**

**... TO EITHER DIRECT STAFF OR A COUNCIL MEMBER TO WRITE A LETTER OF REQUEST TO THE HANTS COUNTY AREA MANAGER WHO WILL CONDUCT A SITE VISIT AND A BICYCLING ROUTE ASSESSMENT – AS PER POLICY: PO1072, DIRECTIVES 1.3 – TO FORWARD ONTO THE ACTIVE TRANSPORTATION COORDINATOR WHO WILL PROVIDE A RECOMMENDATION BASED ON THE ASSESSMENT AND COMPLIANCE WITH OTHER DEPARTMENT OF PUBLIC WORKS POLICIES.**



## WEST HANTS REGIONAL MUNICIPALITY REPORT

Information <input type="checkbox"/>	Recommendation <input type="checkbox"/>	Decision Request <input checked="" type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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**To:** West Hants Regional Municipality Council

**Submitted by:** \_\_\_\_\_  
Bekah Craik, Active Living Coordinator

**Date:** August 24, 2021

**Subject:** Advocacy for Active Transportation

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### LEGISLATIVE AUTHORITY

- Bicycling Routes on Provincial Roads Policy PO1072, May 17, 2017 - Nova Scotia
- Department of Transportation and Active Transit (formerly Department of Transportation and Infrastructure Renewal).

### DECISION REQUEST

The Active Avon Active Transportation (AT) Committee requests Committee of the Whole to write a letter to the Department of Transportation and Active Transit (DTAT) in request of Bog Road becoming a Designated Bicycle Route, submitted in accordance with the Bicycling Routes on Provincial Roads Policy (Policy Number: PO1072). The AT Committee also requests Committee of the Whole to advocate for DTAT completing renovations on the paved shoulders between Lighthouse Road and the Windsor/Falmouth bridge (on Trunk #1) in order for that route to meet the standards for designation as the Blue Route between Windsor and Hantsport.

### BACKGROUND

Property <input type="checkbox"/>	Public Opinion <input type="checkbox"/>	Environment <input checked="" type="checkbox"/>	Social <input checked="" type="checkbox"/>	Economic <input checked="" type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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The Active Avon Active Transportation Committee began discussions with NS Transportation & Infrastructure Renewal (TIR) in 2013 to have the Blue Route incorporated into any future road upgrade plans in West Hants. NS TIR stated that if the Blue Route is recognized on an Active Transportation Plan (AT Plan), NS TIR must look at making the necessary improvements for that designation. Thus, in June of

2014, the AT Committee released an RFP (request for proposal) for the creation of a Regional AT Plan, which was completed early 2015 and adopted by the former Towns of Hantsport and Windsor, and the former Municipality of the District of West Hants.

Regular discussions continued of where the Blue Route might travel through Windsor/West Hants and TIR issued a contract in the fall of 2014 to upgrade and pave the section of the #1 Hwy from the Windsor/Falmouth Bridge to Lighthouse Road in Mt. Denson. The AT Committee had expressed interest in this section becoming part of the Blue Route and had been informed just months earlier that it wasn't in the five-year TIR plan for upgrades. The AT Committee communicated to TIR staff the disappointment felt at that time because there was no consideration given to AT during this upgrade even after the conversations that were held.

In 2016, TIR and Bicycle NS staff consulted the AT committee to outline where the Blue Route would be best situated. The route was agreed upon by consensus and the Committee moved forward with the necessary improvements to accommodate the Blue Route in any future upgrades on identified roads.

In fall 2017/spring 2018, Highway #1 from Lighthouse Road to Halfway River Bridge was upgraded with a paved shoulder. The AT Committee was told by NS TIR and Bicycle Nova Scotia that these upgrades would accommodate the Blue Route, as well as a retroactively added paved shoulder on the previously paved section from 2014 (between the Windsor/Falmouth Bridge and Lighthouse Rd. The AT Committee believed that the Blue Route would leave Hantsport and makes its way into the Town of Windsor with signage being put into place by fall 2018. West Hants and Town of Windsor staff indicated support of the project.

In Aug 2018, the AT Committee learned that the Blue Route would not be going into West Hants after all for two reasons: (a) the paved upgrades were not constructed to a high enough standard to be considered for Blue Route designation, and (b) traffic counts between Bluff road and Tannery Road (through the County of Kings) had been miscalculated and were found to be in excess of the TIR bicycle route signage policy, therefore requiring paved shoulders to be installed before Blue Route designation could occur.

West Hants staff, Town of Windsor staff, and AT committee members devoted a lot of time, energy, and financial assistance into this project, and it failed to achieve any of the desired outcomes. As a result, the AT committee wrote a letter stating the disappointment and frustration with NS TIR over this project. This letter requested continued stakeholder communications in order to ensure future projects with AT opportunities were not missed. It also outlined the desire to rectify the lost potential

between Windsor and Hantsport without waiting twenty years for the next upgrade. The Bog Road is identified as an Alternate Blue Route option in the Active Transportation Plan, providing the opportunity to rectify this missed opportunity.

## **DISCUSSION**

There has been a lot of provincial support and prioritization of active transportation over the last several years. The renaming of the Department of Transportation and Infrastructure Renewal (TIR) to Department of Transportation and Active Transit (DTAT) represents a positive shift in approaches to delivering safe, sustainable, and efficient active transit systems for all Nova Scotians. It helps acknowledge the importance of creating healthy communities where people are connected through safe active transportation infrastructure.

With this commitment to the support and advancement of active transportation, there is a great opportunity to ensure all the upgrades to roadway infrastructure are developed with an AT lens. Bog Road has been identified in the Active Avon Active Transportation Plan as the alternative Regional Route, should Trunk #1 not be found suitable. The advantages of Bog Road as a Blue Route are numerous and many cyclists use the road currently, despite its poor surface condition; it is very cyclist-friendly because the topography is quite flat, it would create a safe AT loop if ever the Trunk #1's paved shoulders are fixed, and it provides safe AT access between two communities which travels past a recreation area (Laurie Sauliner Memorial Trail) maintained through provincial funding by the Department of Natural Resources, Ducks Unlimited, and the Hants West Wildlife Association. While the Active Avon AT Committee understands traffic counts have not met the target levels to require a paved shoulder, it still feels strongly that the highest level of standard should be sought after as this is a highly used AT connection between the two communities. If paved shoulders are not feasible, the next best thing would be a designation of the road as a Bicycle Route.

After our March 18, 2019, letter was received, it was acknowledged there was room for improvement and continued communications between the formerly named NSTIR and Bicycle Nova Scotia were required to improve the Blue Route planning process and the situation on Trunk #1. The Active Avon Active Transportation Committee would gladly work with Council, the Department of Transportation and Active Transit, Bicycle Nova Scotia, and other stakeholders to support the Bog Road becoming a Designated Bicycle Route and the remediation of the Trunk #1 paved shoulders so it can meet the standards to become the Blue Route between Hantsport and Windsor.

## **NEXT STEPS**

1. The Active Living Coordinator will continue to build relationships with other municipal departments, key stakeholders, and AT user groups to ensure ongoing positive communication, with the goal of an AT lens being brought to future infrastructure projects.
2. Committee of the Whole considers the Decision Request and decides what actions to take, if any. Council may approve/reject the motion from COTW, if any.

3. Council may direct staff or a council member to write a letter of request to the Hants County Area Manager who will conduct a site visit and a Bicycling Route Assessment – as per Policy: PO1072, Directives Section 1.3 – to forward onto the Active Transportation Coordinator who will provide a recommendation based on the Assessment and compliance with other DTAT policies.

## **FINANCIAL IMPLICATIONS**

None.

## **ALTERNATIVES**

1. Council may decide not to write a letter of support for the remediation of Trunk #1 paved shoulders.
2. Council may choose not to request Bog Road to become a Designated Bicycle Route.

## **ATTACHMENTS**

1. March 18, 2019, Letter to Minister Lloyd Hines
2. Letter from Ms. Elizabeth Pugh in response to the March 18, 2019, letter
3. Bicycling Routes on Provincial Roads Policy (Policy Number: PO1072)

## **CHIEF ADMINISTRATIVE OFFICER REVIEW**

I fully support the advocacy of bike lanes and improved AT infrastructure. This is a current priority of Council.

I support the recommendation as drafted.

Report Prepared by: \_\_\_\_\_  
Bekah Craik, Active Living Coordinator

Report Reviewed by: \_\_\_\_\_  
Kathy Kehoe, Director Community Development

Report Reviewed by: \_\_\_\_\_  
Carlee Rochon, Director, Financial Services

Report Reviewed by: \_\_\_\_\_  
Shelleena Thornton, Municipal Operations Supervisor

Report Approved by:  \_\_\_\_\_  
Mark Phillips, Chief Administrative Officer

## **Avon Region Active Transportation Committee**

P.O. Box 3000, 76 Morison Drive  
Windsor West Hants Ind. Park  
Windsor, Nova Scotia, B0N 2T0

[activeavon@gmail.com](mailto:activeavon@gmail.com)

March 18, 2019



Dear Honourable Lloyd Hines,

We are writing to express our disappointment, bewilderment and frustration regarding the recent news that the Blue Route will not extend into the Municipality of West Hants from the County of Kings. The Avon Region Active Transportation Working Group (AT Committee) is a committee made up of staff from West Hants and the Town of Windsor, along with residents from both municipalities and other organizations such as the Nova Scotia Health Authority, West Hants Trails Association, the West Hants Municipal RCMP, Bicycle Nova Scotia and the Nova Scotia Department of Transportation and Infrastructure Renewal (TIR).

Prior to the creation of an Active Transportation Plan for our region, the AT Committee began communicating on a regular basis with TIR as far back as March 2013. Most of the communications centered around the possibility of working together to incorporate the Blue Route into any future road upgrade plans. In 2013, our Committee requested AT be considered in a traffic study taking place in West Hants. At that point, TIR suggested there would be an increased likelihood of Blue Route requirements being integrated into future infrastructure upgrades if West Hants and the Town of Windsor developed a regional Active Transportation Plan. It was stated that if the Blue Route is recognized on an AT Plan, TIR must look at making the necessary improvements for that designation. Thus, in June of 2014, the AT Committee released an RFP for the creation of a Regional AT Plan, which was completed early 2015 and adopted by both councils.

After more than a year of communications, including discussions of where the Blue Route might travel through Windsor/West Hants, TIR issued a contract in the fall of 2014 to upgrade and pave the section of the #1 Hwy from the Windsor/Falmouth Bridge to Lighthouse Road in Mt. Denson. The AT Committee had expressed interest in this section becoming part of the Blue Route and had been informed just months earlier that it wasn't in the five-year TIR plan for upgrades. West Hants staff, on behalf of the AT Committee, communicated to TIR staff the disappointment felt at that time because there was no consideration given to AT during this upgrade even after the conversations that were held.

During the fall of 2016, TIR and Bicycle NS staff came to the AT committee with maps asking the Committee to outline where the Blue Route would be best situated. The route was agreed upon by consensus and the Committee felt confident moving forward that the necessary improvements to accommodate the Blue Route would be made during any future upgrades on identified roads.

In the fall 2017/spring 2018, we were excited to hear that a contract had been awarded and work was to begin on upgrades to the #1 Hwy from Lighthouse Rd to Halfway River Bridge with a paved shoulder that the AT Committee was told was to accommodate the Blue Route. Additionally, was the welcome news that a retroactively added paved shoulder would also be constructed on the previously paved section

from 2014, between the Windsor/Falmouth Bridge and Lighthouse Rd. The AT Committee was under the impression that the Blue Route would leave the community of Hantsport and make its way into the Town of Windsor, and that the signage – supplied by TIR – would be erected by fall 2018. Both West Hants and Town of Windsor staff indicated support would be given in whatever capacity necessary. By August 2018, no communications from TIR or Bicycle NS regarding the signage had been received. West Hants staff reached out to inquire as to the status of the project and were informed that, in fact, the Blue Route would not be going into West Hants after all for two reasons: (a) the paved upgrades were not constructed to a high enough standard to be considered for Blue Route designation, and (b) traffic counts between Bluff Road and Tannery Road (through the County of Kings) had been miscalculated and were recently found to be in excess of the TIR bicycle route signage policy, therefore requiring paved shoulders to be installed before Blue Route designation could occur.

The staff from West Hants, Town of Windsor and TIR along with Bicycle NS and other AT Committee members have invested a lot of time and energy into this project – not to mention the thousands of taxpayers dollars invested into the upgrades – which has, unfortunately, resulted in a failure to achieve any of the desired outcomes. We thought and were told all the right stakeholders were at the table and anticipated the project would be a win for everyone. This is the reason for the AT Committee's disappointment, bewilderment and complete frustration.

Moving forward, our AT Committee would like to know the following:

- What happened that allowed this potentially ground-breaking project to slip through the cracks when it was so close to coming to fruition?
- What are the holes in this process and what can the AT Committee do to support the patching of these holes for future projects?
- With upcoming road upgrades slated for the section of #1 Hwy south of Windsor (towards Halifax), is there anything the AT Committee and/or TIR can do to ensure that AT opportunities are not missed?
- What can the AT Committee and/or TIR do to rectify the lost potential between Windsor and Hantsport without waiting twenty years for the next upgrade.

Respectfully,

The Avon Region Active Transportation Working Group

CC: Honourable Chuck Porter  
Mr. Gary Rafuse, Nova Scotia Department of Transportation and Infrastructure Renewal  
Mr. Brad MacInnis Nova Scotia Department of Transportation and Infrastructure Renewal  
Ms. Elizabeth Pugh, Nova Scotia Department of Transportation and Infrastructure Renewal  
Mr. Ben Buckwold, Bicycle Nova Scotia

Ms. Kathy Johnston-Isenor  
activeavon@gmail.com

Dear Ms. Johnston-Isenor:

Thank you for your letter dated March 18, 2019, regarding the Avon Region Active Transportation Committee's frustration over the Blue Route not extending into the Municipality of West Hants from the County of Kings. I have been asked to respond to you on behalf of the Transportation Minister, Lloyd Hines.

I appreciate the committee's frustration over the Blue Route not extending into West Hants last year. I assure you, the Department of Transportation and Infrastructure Renewal (NSTIR) is also disappointed. Initially this section appeared easy to implement, however, once detailed planning began, we realized there were several factors that indicated that we were not ready to open this piece. You noted two of these factors; that shoulders are needed between Bluff Road and Tannery Road, and the quality of the shoulder paving. We also need to work more with Hantsport to decide if/what bicycle facilities are needed through town (Bicycle Nova Scotia (BNS) was working on some guidelines for small municipalities that were not ready last summer). We also need more information on how/where the Blue Route will enter Windsor.

This project has shown there is room for improvement in our Blue Route planning process, which we (NSTIR and BNS) will be working on to improve in the future. NSTIR is also discussing ways in which we might be able to improve the situation with the shoulders on Trunk 1. We will continue to work with your committee as we move forward with this project and will update you when we have any new information.

I can not answer your questions directly, however, I can assure you that your observations and comments will all feed into whatever improvements we implement into our process. Thank you again for taking the time to outline your concerns. We look forward to continuing to work with you and your committee as the Blue Route expands in the Avon region.

Sincerely,



Elizabeth Pugh P.Eng.  
Special Projects Engineer

c: Honourable Chuck Porter, MLA Hants West  
Honourable Lloyd P. Hines, Minister of Transportation and Infrastructure Renewal  
Gary Rafuse, Area Manager, Transportation and Infrastructure Renewal  
Brad MacInnis, Construction Manager Central, Transportation and Infrastructure Renewal  
Guy Deveau, District Director Central, Transportation and Infrastructure Renewal  
Ben Buckwold, Director, Bikeways and Blue Route Implementation, Bicycle Nova Scotia



## **Bicycling Routes on Provincial Roads**

### **Policy Statement**

To support bicycling in Nova Scotia, the Department of Transportation and Infrastructure Renewal (TIR) may designate some portions of provincial roads as bicycling routes.

### **Rationale**

The Department is committed to supporting Active Transportation (AT), including bicycling on provincial roads. Bicycles are permitted to operate on all roads unless otherwise prohibited by regulation<sup>1</sup> or a sign.

Some roads are designated as “bicycling routes” to provide wayfinding assistance. Designating bicycling routes also helps to provide a consistent and positive bicycling experience.

The purpose of this policy is to provide directives and guidance in determining which portions of the provincial road network can be designated as a bicycling route.

### **Policy Objectives**

To provide direction in determining when, and how, portions of a provincial road can be designated as a bicycling route.

### **Definitions**

For the purposes of the Bicycling Routes on Provincial Roads Policy, the following definitions apply.

**Annual Average Daily Traffic (AADT):** The number of vehicles passing the count location in a 24-hour period, averaged on the basis of one year. The AADT for provincial roads is determined by TIR’s Traffic Engineering and Road Safety section.

**Active Transportation (AT):** Any form of human-powered transportation including, but not limited to, walking and bicycling.

**Active Transportation Coordinator (ATC):** A TIR employee responsible for coordinating active transportation initiatives.

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<sup>1</sup> Motor Vehicle Act s.88 and s.89 and Public Highways Act s.20

**Blue Route:** A designated provincial bicycling network, which will connect communities while recognizing regional differences, needs and opportunities. The location is determined by the Blue Route Team.

**Blue Route Team:** A committee of representatives from identified organizations that are responsible for the management of the Blue Route project. This group is identified in the Blue Route Team Terms of Reference (see Appendix A).

**Bicycling Route:** Bicycling routes should be continuous and may be a combination of many types of bicycle facilities, including trails, pathways, designated bicycling facilities, or roads. They may have no visible bicycling facilities or infrastructure, such as pavement markings or signs. These routes may be found in bicycle tour books, on local maps and on web sites.

**Designated Bicycling Route:** A designated route for bicycling on a provincial road that meets the criteria outlined in this policy. These routes will be marked with signs that are intended to guide bicyclists onto or along particular roadways or paths between a starting location and an ending location.

**Paved Shoulders:** The area to the right of the travel lane, between the white painted line and the edge of pavement. When wide enough to accommodate a cyclist, paved shoulders provide a separate space for AT use. They are not designated or marked as a bicycle lane.

**Provincial Roads:** Roads owned and maintained by TIR, as defined by the Public Highways Act.

**Trans Canada Trail (TCT):** The TCT is managed by a non-profit organization. The trail itself is a Canada wide network of recreational trails. When connected, the TCT will stretch 23,000 km from the Atlantic to the Pacific to the Arctic Oceans. It is multi-use and depending on the section, is used by hikers, bicyclists, horseback riders, cross country skiers and snowmobilers. The sections referenced in this policy would be road links, intended for bicyclists.

## **Application**

This policy applies to those responsible for approving and signing a bicycling route on a provincial road including, but not limited to, the Chief Engineer, Area Managers, District Traffic Supervisors, and the Active Transportation Coordinator.

## **Accountability**

Chief Engineer (CE): Responsible for approving proposed Blue Route locations on provincial roads.

Area Managers (AM): Responsible for receiving applications for proposed bicycling routes, conducting site visits, assessing the route's physical characteristics, seeking input from the Active Transportation Coordinator, and approving or rejecting bicycling routes proposed by municipal units.

District Traffic Supervisors (DTS): Responsible for advising the AM on the route and the requirements for Share the Road signage.

Active Transportation Coordinator (ATC): Responsible for assessing the proposed routes for their integration into provincial and other Municipal bicycling plans, participating on the Blue Route Team, reviewing and updating this policy.

## **Monitoring**

District Directors and Director of Highway Engineering Services are responsible for monitoring the implementation and effectiveness of this policy.

The ATC will review and update this policy, with feedback from District staff and stakeholders, as conditions warrant.

## **Directives**

### **1.1 Designation of Bicycle Routes**

#### **1.1.1 Designation of a Bicycling Route**

TIR will review all municipal requests for designation of bicycling routes on provincial roads. Municipalities requesting this designation must identify if the proposed route is part of an AT plan, bicycling plan, or equivalent, and that the plan has been approved by Municipal Council.

### **1.1.2 Designation of the Blue Route**

The Blue Route is a provincial bicycling route, agreed upon by the Blue Route Team, in consultation with municipalities, local interest groups, local trails groups, etc. The Blue Route must at a minimum meet the criteria of a designated bicycling route on provincial roads as indicated in this policy (see Directive 1.2). Additional criteria is established by the Blue Route Team. TIR has final approval regarding whether the Blue Route may be on a provincial road

### **1.1.3 Designation of the Trans Canada Trail as a Bicycling Route**

Designation of any section of the Trans Canada Trail as a bicycling route will be done so in accordance with this policy.

## **1.2 Minimum Criteria for Bicycle Routes**

Directive 1.2.1 applies to all bicycling route designations. Directives 1.2.2 and 1.2.3 do not apply to Blue Route designations.

1.2.1 Sections of road to be designated as a bicycling route must meet the same shoulder width criteria that is shown in the Standard Drawing S-2011-200 *Paved Shoulder Width for Active Transportation*, as per *Policy PO1063 Shoulder widths for Active Transportation Policy*, for repaving work.

1.2.2 Bicycle routes (other than the Blue Route) will not be designated on roads with speed limits in excess of 80 km/h. Speed zone reductions will not be considered solely for the purposes of designating a bicycling route.

1.2.3 Bicycle routes (other than the Blue Route or Trans Canada Trail) must have an active transportation connection within the community or provide a continuous recreational riding experience. It must meet **at least one** of the criteria below:

- Have important or recognizable starting and ending locations (origins and destinations);
- Complete a recreational riding loop from a recognizable origin;
- Provide a road link between two sections of multipurpose trail;
- Be known to be a route already appealing to bicyclists. This can be determined by (but not limited to) discussions with local bicycling groups, touring companies, heat maps, etc.

### **1.3 Approval Process for Designated Bicycling Routes other than the Blue Route or Trans Canada Trail**

- 1.3.1 The Department will only consider requests for a designated bicycling route from municipalities. Requests from individuals will not be considered. Requests shall be submitted to the AM.
- 1.3.2 Notwithstanding 1.3.1, TIR will also select and designate bicycling routes on Provincial Roads should it determine a need.
- 1.3.3 The AM must conduct a site visit and assess the proposed route and complete the AM portions of the Bicycling Route Assessment Tool “Assessment Tool” (See Appendix B).
- 1.3.4 The AM will forward the bicycling route request to the Active Transportation Coordinator (ATC), with the completed AM sections of the Assessment Tool. The proposed routes will then be evaluated by the ATC, and other Highway Programs staff as necessary, to ensure compliance with the *S-2011-200 Paved Shoulder Width for Active Transportation* as per *Policy PO1063 Shoulder widths for Active Transportation Policy*. The ATC will also evaluate the proposed routes with respect to other bicycling initiatives to ensure there is no conflict or duplication of efforts.
- 1.3.5 The ATC must complete the ATC portions of the Bicycling Route Assessment Tool. The ATC will then provide a recommendation to the AM.
- 1.3.6 The AM will approve or reject the bicycling route proposal.
- 1.3.7 If approved, the AM will request that the DTS investigate the proposed location for placement of the “Share the Road” sign assembly in accordance with policy PO1024 *“Share the Road” Sign Assembly, Application Guide for Provincial Highways*.
- 1.3.8 If rejected, the AM will advise the ATC of any circumstances that have necessitated the rejection of a proposed bicycling route.
- 1.3.9 When a road section is approved as a designated bicycling route, bicycling route signage shall be applied as per the *Manual of Uniform Traffic Control Devices for Canada* and the *Bikeway Traffic Control Guidelines for Canada*.

## **1.4 Approval Process for the Blue Route**

- 1.4.1 The location of the Blue Route, on provincially owned land, is determined by the Blue Route Team. Once determined, sections of the Blue Route that are located on provincial roads, are forwarded to CE, with a recommendation that they be designated Blue Route.
- 1.4.2 Upon receiving a recommendation, the CE will either:
- Approve the section(s) for designation if they meet the criteria outlined in Directive 1.2.
  - Conditionally approve the section(s) for designation if they are acceptable but do not meet the criteria outlined in Directive 1.2.
  - Reject the proposed sections.
- 1.4.3 After approval or conditional approval, sections of the Proposed Blue Route that require upgrading will be noted in TIR's Capital Program, for addition of paved shoulders when the section is scheduled for repaving or reconstruction.
- 1.4.4 When an approved Blue Route road section meets the criteria in Directive 1.2 or is conditionally approved under the Special Circumstances, the ATC will recommend to the AM that Blue Route Signage be erected on the section.
- 1.4.5 TIR will install and maintain the required Blue Route Signs on provincial roads.
- 1.4.6 Upon receiving this request, the AM will request that the DTS investigate the proposed location for placement of the "Share the Road" sign assembly in accordance with policy PO1024 *"Share the Road" Sign Assembly, Application Guide for Provincial Highways*.
- 1.4.7 Any requests for changes or additions to the proposed Blue Route location can be made to the Blue Route Team, via Bicycle Nova Scotia. These changes or additions can be suggested by bicycling clubs, trails groups, or a municipality.
- 1.4.8 The route change or addition will be assessed by the Blue Route Team and, if acceptable, the ATC will make a recommendation to CE to either approve or conditionally approve, subject to Directive 1.4.3, a section or sections of provincial highway to be designated as Blue Route.

## **1.5 Approval Process for the Trans Canada Trail as a Bicycling Route**

- 1.5.1 Proposed TCT road links shall be submitted by the TCT committee, to the ATC.
- 1.5.2 The proposed road links shall be evaluated against Directive 1.2
- 1.5.3 Sections of the TCT that are located on provincial roads, are forwarded to CE, with a recommendation that they be designated TCT.
- 1.5.4 Upon receiving a recommendation, the CE will either:
  - Approve the section(s) for designation if they meet the criteria outlined in Directive 1.2.
  - Conditionally approve the section(s) for designation if don't meet the criteria outlined in Directive 1.2, however do meet the Special Circumstances in 2.3.
  - Reject the proposed sections.
- 1.5.5 If approved, the ATC will request that the AM have their DTS investigate the proposed location for placement of the "Share the Road" sign assembly in accordance with policy PO1024 *"Share the Road" Sign Assembly, Application Guide for Provincial Highways*.
- 1.5.6 After approval or conditional approval, sections of the Proposed TCT that require upgrading will be noted in TIR's Capital Program, for consideration of the addition of paved shoulders when the section is scheduled for repaving or reconstruction.
- 1.5.7 When an approved TCT road section meets the criteria in Directive 1.2 or is conditionally approved under the Special Circumstances, the ATC will recommend to the AM that TCT Route Signage be allowed on the section. Signage will adhere to the "TCT Road Signage Guidelines" with modifications/restrictions as requested by TIR and outlined in Appendix C. TIR must approve any signage schedule proposed by TCT on provincial roads.
- 1.5.8 If the TCT is co-branded with the Blue Route, TCT signs will be added to the sign assembly to be used for the Blue Route.

## **Guidelines**

### **2.1 Special Circumstances for Designating a Bicycling Route**

- 2.1.1 Roads that have had 0.8m shoulders paved to facilitate bicycling, that were either unable to achieve the minimum width of the S-2011-200 *Paved Shoulder Width for Active Transportation*, as per PO1063, or were paved with a 0.8m shoulder prior to the implementation of that policy, are still eligible to be designated as a bicycling route, as per the directives outlined in this policy and approved by the Manager of Highway Planning and Design.

The bicycling assessment tool will be utilized to make and document this decision.

### **2.2 Special Circumstances for Designating the Blue Route**

- 2.2.1 It is recognized that to meet regional needs, and connectivity between communities, the Blue Route may need to utilize roads with posted speeds greater than 80km/h. The Bicycling Route Assessment Tool will be utilized to make and document this decision.
- 2.2.2 The CE may approve the designation of the Blue Route on provincial roads if the traffic volumes or road geometry do not comply with S-2011-200 *Paved Shoulder Widths for Active Transportation* as per PO1063, however are appropriate for local conditions. The Bicycle Route Assessment Tool will be utilized to make and document this decision.

### **2.3 Special Circumstances for Designating the Trans Canada Trail as a Bicycling Route**

- 2.3.1 In some instances, the Trans Canada Trail may be designated as a bicycling route on provincial roads, in order to provide connectivity between off road TCT sections. These roads will have speeds posted at 80km/h or less, and may have an AADT's of less than 1000, or may have paved shoulders as per PO1063.



## **References**

Motor Vehicle Act, Nova Scotia  
Public Highways Act, Nova Scotia  
NSTIR Traffic Volumes: Primary Highway System and NSTIR Traffic Volumes:  
Secondary roads Book, recent editions.  
PO1063, TIR Manual, Shoulder Widths for Active Transportation  
PO1024, TIR Manual, "Share the Road" Sign Assembly, Application Guide for  
Provincial Highways.  
Velo Quebec (2010) Planning and Design for Pedestrians and Cyclists  
Manual of Uniform Traffic Control Devices for Canada  
Transportation Association of Canada (TAC) Bikeway Traffic Control Guidelines  
for Canada

## **Enquiries**

Active Transportation Coordinator

## **Appendices**

Appendix A - Blue Route Team Terms of Reference  
Appendix B - AT Bicycling Route Assessment Tool (Fillable Form)  
Appendix C - TCT (Trans Canada Trail) Roadway Signage Guidelines



Committee of the Whole Excerpts  
September 14, 2021

**Brooklyn Civic Centre – Expense write-off**

Administration endorsed the action to support the Fire Department, and specifically the Civic Centre side, by absorbing expenditures associated with the first half of the 2020 fiscal year due to Covid restraints as well as recognizing the connectivity between the Municipality as the Owner and the Civic Centre side of the building as the operator of that space. It was recommended that the second half of the 2020 fiscal year treated in the same manner...

**The recommended motion was...**

**THAT \$6,531.41 INVOICED TO THE BROOKLYN CIVIC CENTRE FOR SEPTEMBER 2020 THROUGH MARCH 2021 FISCAL YEAR BE FUNDED THROUGH THE SAFE RESTART OR IF UNSUCCESSFUL THROUGH THE OPERATING RESERVES.**



## WEST HANTS REGIONAL MUNICIPALITY REPORT

Information <input type="checkbox"/>	Recommendation <input type="checkbox"/>	Decision Request <input checked="" type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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**To:** Committee of the Whole

**Submitted by:** \_\_\_\_\_  
Mark Mclean, Councillor, District 3

**Date:** September 14, 2021

**Subject:** Brooklyn Civic Centre Expense Write-off

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### LEGISLATIVE AUTHORITY

Municipal Government Act, Finance, Section 65 A authorizes Council to expend funds for municipal purposes.

### DECISION REQUEST

The Committee of the Whole recommends to Council that \$6,531.41 invoiced to the Brooklyn Civic Centre for September 2020 - March 2021 (fiscal year) be funded through the Operating Reserves.

### BACKGROUND

Property <input checked="" type="checkbox"/>	Public Opinion <input type="checkbox"/>	Environment <input type="checkbox"/>	Social <input checked="" type="checkbox"/>	Economic <input checked="" type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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The Brooklyn Civic Centre was completed in May 2010. An agreement was established between the former West Hants Municipality and the Brooklyn Fire Department that the financial responsibilities be divided so that 2/3 of the expenses were incurred by the Fire Department and the remaining 1/3 were incurred by the Civic Centre.

In 2019/20, the Municipality assumed the 2/3 portion to the Brooklyn Fire Department. The Municipality made this decision and paid the Fire Department so that they could then turn around and repay the 2/3 portion back to the Municipality.

The Brooklyn Civic Centre is home to the Brooklyn Fire Department, which has been providing quality service to the residents of Brooklyn, West Hants, and surrounding areas, when necessary, since 1962.

The Volunteer Fire Department consists of 96 members and 11 Fire apparatuses. This department alone responds to an average of over 400 calls per year. The Civic Centre is home to the Brooklyn Fire Department, hosts their regular Monday night training sessions as well as monthly meetings.

Along with this important role, the Civic Centre is a focal point for the community of Brooklyn. This Centre serves to host numerous community activities, luncheons, wedding receptions, meetings, courses, anniversary, birthday, and community suppers that engages the community and enables them to converge in a large safe space that adapts to the needs of the individuals utilizing it.

The Brooklyn Civic Centre relies heavily on community-based programs/members and personal social events to meet their financial needs. Due to recent and ever evolving Covid -19 pandemic, these programs have not been able to run due to the Provincial restrictions surrounding gathering limits and shutdowns.

## **DISCUSSION**

The Brooklyn Civic Centre is billed twice per year for these expenses. The first part of the fiscal year the billing was credited, and the municipality covered the expense due to the Covid -19 pandemic and the restrictions that were implemented by Department of Health and the Province of Nova Scotia. These restrictions hindered the Auxiliary's ability to rent the space or host fundraising events/functions. The restrictions in place due to Covid -19 were lifted and the facility was once again able to open their doors and rent the space. West Hants Regional Municipality used their own facility as a benchmark and the 1/3 portion equates to \$6,531.41 after the HST rebate.

## **NEXT STEPS**

A motion to use Operating Reserves is recommended as this invoice is from a previous fiscal year, should Council choose to accept this recommendation and utilize municipal funds to cover the \$6,531.41 invoice.

## **FINANCIAL IMPLICATIONS**

Should Council support the recommendation, funds totaling \$6,531.41 will be taken from Operating Reserves.

## **ALTERNATIVES**

Council can choose not to support this recommendation.

## **ATTACHMENTS**

Brooklyn Civic Centre Operating Fund Expense Account Report.

## **CHIEF ADMINISTRATIVE OFFICER REVIEW**

It should be noted that my office was exploring a recommendation to Council in 2020 that the Civic Center be transitioned to the operations of the municipality. This action and confirmation was not confirmed with Council until the current 2021/22 fiscal year. Admittedly, Covid and other operational demands influenced the timing of confirmation

that was eventually received by Council.

Further, the building is owned by the West Hants Regional Municipality promoting a natural connectivity between the Fire / Auxiliary Group as may not exist with other entities. Recognizing the history of the building and Civic Center space the timing of the transition and associated expenditures is the question before Council.

Administration endorsed the action to support the Fire Department, and specifically the civic center side, by absorbing expenditures associated with the first half of the 2020 fiscal year due to Covid restraints as well as recognizing the connectivity between the Municipality as the Owner and the Civic Center side of the building as the operator of that space. The second half of the 2020 fiscal year was seen in the same manner as other community and municipal spaces where the opportunity existed to rent spaces and generate the needed revenue to cover operating costs.

I support the recommendation in principal but Council should be mindful of a further extension of financial support to this organization as it will draw parallels to other "like" organizations.

Report Prepared by: \_\_\_\_\_

Mark McLean, Councillor, District 3

Report Reviewed by: \_\_\_\_\_

Carlee Rochon, Director of Financial Services

Report Approved by:  \_\_\_\_\_

Mark Phillips, CAO

**West Hants Regional Municipality - Brooklyn Civic Centre Receivables**  
**April 2020 - March 2021**

\*\* Invoice totals include non-refundable tax portion

		<b>Invoice Total</b>	<b>1/3 To Civic Centre</b>
<b>Balance Forward, March 31, 2020</b>			<b>5,275.44</b>
Nova Scotia Power - March 2020	Apr. 2, 2020	\$ 3,450.94	\$ 1,150.31
Foster's Fire & Safety - Invoice 99873	Apr. 2, 2020	\$ 278.66	\$ 92.89
Nova Scotia Power - April 2020	May. 31, 2020	\$ 2,504.72	\$ 834.91
Nova Scotia Power - May 2020	Sep. 1, 2020	\$ 341.79	\$ 113.93
Nova Scotia Power - June 2020	Sep. 1, 2020	\$ 1,392.28	\$ 464.09
Nova Scotia Power - July 2020	Sep. 1, 2020	\$ 1,791.40	\$ 597.13
Nova Scotia Power - August 2020	Sep. 1, 2020	\$ 2,905.66	\$ 968.55
Cummins Canada ULC - Invoice AU-21118	Sep. 1, 2020	\$ 1,424.42	\$ 474.81
Nova Scotia Power - September 2020	Oct. 5, 2020	\$ 2,624.67	\$ 874.89
Nova Scotia Power - October 2020	Nov. 19, 2020	\$ 1,872.01	\$ 624.00
Brooklyn Civic Centre Payment - Cheque #734 (INV 7723)	Dec. 11, 2020	\$ (5,275.44)	\$ (5,275.44)
Nova Scotia Power - November 2020	Dec. 31, 2020	\$ 2,339.16	\$ 779.72
Nova Scotia Power - December 2020	Jan. 1, 2021	\$ 2,435.88	\$ 811.96
Carmichael Engineering - Invoice HA-1717162	Jan. 1, 2021	\$ 805.27	\$ 268.42
Brooklyn Civic Centre Credit on INV 277	Feb. 10, 2021	\$ (4,221.82)	\$ (4,221.82)
Nova Scotia Power - January 2021	Feb. 25, 2021	\$ 3,001.53	\$ 1,000.51
Brault Roofing Maritimes - Invoice 000135	Feb. 24, 2021	\$ 1,629.99	\$ 543.33
Nova Scotia Power - February 2021	Mar. 25, 2021	\$ 3,077.60	\$ 1,025.87
Foster's Fire & Safety - Invoice 104437	Mar. 29, 2021	\$ 383.72	\$ 127.91
<b>Account Balance (as at March 30, 2021)</b>		<b>\$ 22,762.44</b>	<b>\$ 6,531.41</b>
<b>Outstanding Balance</b>			\$ -
<b>Total Current Amount Due</b>	Invoice Date: March 31, 2021		<u>\$ 6,531.41</u>

**Paid**

**Credit - Due to COVID-19**



Committee of the Whole Excerpts  
September 14, 2021

### **MFC FALL 2021 DEBENTURE**

The West Hants Regional Sports Complex has been completed and to meet necessary lending requirements a Temporary Borrowing Resolution (TBR) is required.

**The recommended motion was...**

**... COUNCIL APPROVES THE MAYOR AND MUNICIPAL CLERK TO SIGN THE RESOLUTION FOR PRE-APPROVAL OF DEBENTURE ISSUANCE, SUBJECT TO INTEREST RATE CONFORMED NOT TO EXCEED 5.5% TO ENABLE WEST HANTS REGIONAL MUNICIPALITY TO ISSUE A 25 -YEAR DEBENTURE OF \$2,091.896, FOR DESIGN AND BUILD OF THE WEST HANTS COMPLEX.**



## WEST HANTS REGIONAL MUNICIPALITY REPORT

Information <input type="checkbox"/>	Recommendation <input checked="" type="checkbox"/>	Decision Request <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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**To:** Committee of the Whole

**Submitted by:** Carlee Rochon  
Carlee Rochon, Director, Financial Services

**Date:** September 14, 2021

**Subject:** MFC Fall 2021 Debenture

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### LEGISLATIVE AUTHORITY

Municipal Government Act, Part VI, Power to Spend Money 65 (A) & Power to Borrow Money 66.

### RECOMMENDATION

Committee of the Whole recommends that . . .

...Council approves the Mayor and Municipal Clerk to sign the Resolution for Pre-Approval of Debenture Issuance, subject to interest rate confirmation not to exceed 5.5% to enable West Hants Regional Municipality to issue a 25-year debenture of \$2,091,896, for design and build of the West Hants Sport Complex.

### BACKGROUND

Property <input type="checkbox"/>	Public Opinion <input type="checkbox"/>	Environment <input type="checkbox"/>	Social <input type="checkbox"/>	Economic <input checked="" type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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In August 2018 West Hants Council made a motion to move forward with the construction of a new rink. In September 2018 Council authorized additional funds to go towards the construction of an indoor multi-use sports field contingent on matching funds being made available at the Provincial and Federal level. In April 2019, West Hants Council approved the Design Build Contract to Lindsay Construction Limited.

In April 2020, West Hants Regional Council approved an additional project cost of \$1,276,200. In October 2020 Lindsay Construction Limited sent their Certificate of Substantial Performance, and the Facility was opened under reduced capacity. The



project costs were finalized as of March 31, 2021, including holdback release. In June 2021, TATE Engineering Inc. submitted the Declaration of Substantial Completion. The last installment of the Investing in Canada Infrastructure Program was received July 8, 2021.

The total budget including Furniture, fixtures, and equipment (FF&E) was \$17,515,942. This project has come in under budget by \$79,184.80.

<b>Total Budget Vs. Actuals - March 31, 2021</b>			
	Building & Land	FF&E	Total
Budget	17,065,942.00	450,000.00	17,515,942.00
Actuals	17,032,205.89	404,551.31	17,436,757.20
Remaining	33,736.11	45,448.69	79,184.80

## DISCUSSION

The project had multiple funding sources, with balance coming from long-term borrowing through Municipal Finance Corporation.

<b>Total Project Breakdown</b>			
Expenditures	Original Project Cost 2019	Budget	
		\$	
	Additional Request 2020	\$	
		\$	17,515,942
Sources of Funding	Government of Canada	\$	4,430,400
	Province of Nova Scotia	\$	3,691,631
	Additional Province of Nova Scotia	\$	4,000,000
	Carry forward Fundraising	\$	57,580
	Municipal - WH Reserves	\$	1,117,711
	Municipal - WIN Reserves	\$	1,534,559
	Municipal - Gas Tax (FF&E)	\$	450,000
		\$	15,281,881

The Municipal Finance Corporation offers favorable fixed lending rates for municipal capital purchases. To meet the necessary lending requirements a Temporary Borrowing Resolution (TBR) is required, which needs Council's approval.

The Municipality of the District of West Hants approved a \$5,135,000, temporary borrowing resolution (TBR) based on the original estimate of borrowing in 2019 assuming no fundraising. This TBR was renewed by West Hants Regional Council on October 27, 2020. This TBR received approval from the Minister of Municipal Affairs on November 12, 2020.

To be able to participate in the upcoming MFC semi-annual debenture call, a 'Resolution for Pre-Approval of Debenture Issuance Subject to Interest Rate' must be approved by

Council. Approving this now, would qualify the Municipality to take part in the Fall debenture call.

It should be noted that the Minister approval date of the TBR in the resolution document has been left blank. The resolution document is an MFC procedural step and should be left blank for MFC staff to complete.

The total project costs less budgeted debt servicing, results in \$2,091,896 in required funding through long-term debt.

<b>Total Project Breakdown - March 31, 2021</b>			
		Actuals	
Expenditures	Building & Land	\$	17,032,206
	FF&E	\$	404,551
		\$	<u>17,436,757</u>
Sources of Funding	Government of Canada	\$	4,430,400
	Province of Nova Scotia	\$	3,691,631
	Additional Province of Nova Scotia	\$	4,000,000
	Carry forward Fundraising	\$	89,834
	Municipal - WH Reserves	\$	1,117,711
	Municipal - WIN Reserves	\$	1,534,559
	Municipal - Gas Tax (FF&E)	\$	404,551
		\$	<u>15,268,686</u>
	Long Term Borrowing (WHM)	\$	2,168,071
	Debt Servicing Budgeted 2020-21	\$	(76,175)
	Debt Servicing Budgeted 2021-22	\$	(76,175)
	Long Term Borrowing (WHM)	\$	<u>2,091,896</u>

This project originated in West Hants, and based on the financial update in April 2020, the Community of Windsor have contributed their approved funding portion from the Town of Windsor operating reserve. The remaining is the approved Community of West Hants portion, and as such the debt servicing cost has been budget and will only be applicable to the Community of West Hants.

## **NEXT STEPS**

Should Council approve the Resolution for Pre-Approval of Debenture Issuance, schedule a time for the Mayor and Municipal Clerk to sign documents. Prepare packages for submission to Municipal Finance Corporation by noon on October 1, 2021.

## **FINANCIAL IMPLICATIONS**

The Municipal Finance Corporation offers favourable fixed lending rates for municipal capital purchases. Participating in the MFC debenture has will allow the Municipality to clear it internal loan between the General Operating fund and the Capital fund.

## ALTERNATIVES

- Council could reject moving forward with the MFC spring debenture and direct staff as to how the items are to be funded. This is not the recommended approach.

## ATTACHMENTS

- Resolution for Pre-Approval of Debenture Issuance Subject to Interest Rate
- Min Cert - 08-2020-0107 - WHRM - WH Sports Complex
- Sport Complex – April 21, 2020, Update

## CHIEF ADMINISTRATIVE OFFICER REVIEW

The Sports Complex has not only changed the landscape in the Regional Municipality but it has successfully created an environment where athletics, physical activity and social interaction can flourish.

Director Rochon's report reflects the bricks and mortar as well as FF&E costs associated with the project from 2019 up to March 31, 2021. The costs displayed above including the \$2,091,896 noted in the recommendation reflect a significant reduction to the residents of the former West Hants Municipality. It is further noted that the dedicated \$2,091,896 is assigned to the former West Hants Municipality as the project and cost was started prior to consolidation.

I support the recommendation.

Report Prepared by:   
Carlee Rochon, Director, Financial Services

Report Reviewed by: \_\_\_\_\_  
Kathy Kehoe, Director, Community Development

Report Approved by:   
Mark Phillips, Chief Administrative Officer

**Resolution for Pre-Approval of Debenture Issuance Subject to Interest Rate**

**WHEREAS** clause 66 (1) of the Municipal Government Act (the “Act”) provides that a municipality may borrow to carry out an authority to expend funds for capital purposes conferred by the Act or another Act of the Legislature;

**AND WHEREAS** clause 91(1)(a) of the Act provides that where a municipality is authorized to borrow money, subject to the approval of the Minister of Municipal Affairs (the “Minister”), that the sum shall be borrowed by the issue and sale of debentures, in one sum or by installments, as determined by the council;

**AND WHEREAS** clause 91(1)(b) of the *Municipal Government Act* authorizes the council to determine the amount and term of, and the rate of interest, on each debenture, when the interest on a debenture is to be paid, and where the principal and interest on a debenture are to be paid;

**AND WHEREAS** clause 91(2) of the *Municipal Government Act* states, that in accordance with the *Municipal Finance Corporation Act*, the mayor or warden and clerk or the person designated by the council, by policy, shall sell and deliver the debentures on behalf of the municipality at the price, in the sums and in the manner deemed proper;

**AND WHEREAS** the resolution of council to borrow for was approved by the municipal council on \_\_\_\_\_.  
(council’s TBR approval date)

**BE IT THEREFORE RESOLVED**

**THAT** under the authority of Section 91 of the *Municipal Government Act*, the

West Hants Regional Municipality  
(Name of Unit)

borrow by the issue and sale of debentures a sum or sums not exceeding \$ 2,091,896, for a period not to exceed 25 years, subject to the approval of the Minister;

**THAT** the sum be borrowed by the issue and sale of debentures of the

West Hants Regional Municipality  
(Name of Unit)

in the amount that the mayor or warden and clerk or the person designated by the council deems proper, provided the average interest rate of the debenture does not exceed the rate of 5.5%;

**THAT** the debenture be arranged with the Nova Scotia Municipal Finance Corporation with interest to be paid semi-annually and principal payments made annually;

**THAT** this resolution remains in force for a period not exceeding twelve months from the passing of this resolution.

**For MFC use only:**  
  
TBR #: \_\_\_\_\_  
  
Minister  
signed: \_\_\_\_\_

**THIS IS TO CERTIFY** that the foregoing is a true copy of a resolution duly passed at a meeting of the Council of the  
West Hants Regional Municipality  
\_\_\_\_\_  
(Name of Unit)

held on the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_

**GIVEN** under the hands of the Mayor/Warden and the Clerk of the  
West Hants Regional Municipality  
\_\_\_\_\_  
(Name of Unit)

this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_

\_\_\_\_\_  
Mayor/Warden

\_\_\_\_\_  
Clerk

**Certificate**

**TEMPORARY BORROWING RESOLUTION**

**West Hants Regional Municipality**

This is to certify that, pursuant to Section 88 of the *Municipal Government Act*, the resolution passed at a duly convened meeting of the Council of the West Hants Regional Municipality on the 27<sup>th</sup> of October, 2020 with a request to borrow a sum or sums not exceeding Five Million One Hundred Thirty-Five Thousand Dollars (\$5,135,000) for purposes of capital borrowing related to the West Hants Sports Complex and under the terms and conditions as set out within the resolution, is hereby approved.

DATED this 12<sup>th</sup> day of November, 2020.



Honourable Chuck Porter  
Minister of Municipal Affairs and Housing

# Windsor / West Hants Municipal Sports Complex Review

21-Apr-20  
CAO, Mark Phillips

1 of 8

Budget for Project April 1 2019 Sports Complex Construction				
Expenditures		April 1 2019	Projected As of March 31 2020	
Building Related	Complex cost / Award to Lindsays	\$ 14,359,034	\$ 14,359,034	
	Owner Reserve or FF&E	\$ 242,760	\$ 18,720	
	Contingency	\$ 1,022,126	\$ 1,036,977	
Professional Services	Project Engineer	\$ 125,000	\$ 125,000	
	Ice Engineer	\$ 70,000	\$ 70,000	
	Climate Lens	\$ 19,760	\$ 19,760	
	Energy Model	\$ 27,800	\$ 27,800	
Property Related	Flood Assessment	\$ 17,938	\$ 17,938	
	Geotechnical	\$ 11,437	\$ 11,437	
	Land appraisal, survey, etc.	\$ 11,814	\$ 11,814	
	Payment Certifier	\$ 24,000	\$ 24,000	
	Land purchase	\$ 288,000	\$ 288,000	
Other	Miscellaneous Costs	\$ 20,073	\$ 20,073	
	Legal	\$ -	\$ -	
<b>Total cost</b>		<b>\$ 16,239,742</b>	<b>\$ 16,030,553</b>	\$ 209,189 Contingency needed to complete project "as is"
Sources of Funding		April 1 2019	As of March 31 2020	
Government of Canada		\$ 4,430,400	\$ 4,430,400	
Province of NS #1 Contribution		\$ 3,691,631	\$ 3,691,631	
Province of NS #2 Contribution		\$ -	\$ 4,000,000	
Town of Windsor		\$ 1,000,000	\$ 1,000,000	
Fundraising		\$ 2,000,000	\$ 57,580	
Mun. of West Hants		\$ 5,117,711	\$ 1,117,711	
<b>Total Funds</b>		<b>\$ 16,239,742</b>	<b>\$ 14,297,322</b>	
<b>Shortfall</b>		<b>\$ -</b>	<b>\$ 1,733,231</b>	carry forward to 2020/21

2 of 8

## Project Transition from West Hants Council to New Regional Council 2020/21 Capital Budget Additions

3 of 8

Item	Description	Item Cost	Options	Option Costs
1	Interior Upgrades - Public Hygiene	\$ 69,160.00	1	\$ 69,160.00
2	Millwork - Staircase Display / Lobby Standing Counter	\$ 116,003.00	1 + 2	\$ 372,086.00
	Rink Dressing Rooms	\$ 181,923.00		
	Glazed Interior Railing	\$ 5,000.00		
3	Various Drywall Upgrades	\$ 88,500.00	1 + 2 + 3	\$ 700,000.00
	Painting Structural Steel	\$ 166,000.00		
	Interior Corrugated Cladding	\$ 178,500.00		

5 of 8

4 of 8

2020 /21 Capital Budget Additions Sports Complex Construction				
Expenditures		April 1 2020		
Building Related	Contemplated Change Orders Options 1 + 2 + 3	\$ 700,000		
	Contingency for Noted Option (7% equivalent)	\$ 49,000		
	FF&E (Furniture / Fixtures & Equipment)	\$ 450,000		
Professional Services	Project Engineer	\$ 68,200		
	Payment Certifier	\$ 9,000		
Other	Miscellaneous Costs	\$ -		
	<b>Total cost</b>	<b>\$ 1,276,200</b>	1280642	\$ 4,442
Sources of Funding		April 1 2020		
Geographic Area of Windsor (18%)		\$ 226,688.80		
Geographic Area of West Hants (82%)		\$ 1,049,511.20		
<b>Total Funds</b>		<b>\$ 1,276,200</b>		

2020 /21 Budget Additions		\$ 1,276,200	
Population 2016	Uniform Assessment 2019	Blended	
		%	
Windsor	3,648.00 19%	\$ 230,527,300.00 16%	18% \$ 226,688.80
West Hants	15,368.00 81%	\$ 1,180,137,700.00 84%	82% \$ 1,049,511.20
	19,016.00 100%	\$ 1,410,665,000.00 100%	100% \$ 1,276,200

6 of 8

Total Project Municipal Contribution				
Municipal Geographic Area	Contribution	Total		
Windsor 2019 Project Related	\$ 1,000,000			
Windsor 2020 Project Related	\$ 226,689			
Windsor 2020 Share of \$1,733,231 Fundraising	\$ 307,870	\$ 1,534,559	30%	
West Hants 2019 Project Related	\$ 1,117,711			
West Hants 2020 Project Related	\$ 1,049,511			
West Hants 2020 Share of \$1,733,231 Fundraising	\$ 1,425,361	\$ 3,592,583	70%	
	\$ 5,127,142	\$ 5,127,142	100%	

7 of 8

2020 /21 Coverage of Fundraising		\$ 1,733,231	
Population 2016	Uniform Assessment 2019	Blended	
		%	
Windsor	3,648.00 19%	\$ 230,527,300.00 16%	18% \$ 307,870.36
West Hants	15,368.00 81%	\$ 1,180,137,700.00 84%	82% \$ 1,425,361.06
	19,016.00 100%	\$ 1,410,665,000.00 100%	100% \$ 1,733,231

8 of 8

Total Project Breakdown				
Expenditures				
Original Project Cost 2019		\$ 16,239,742		
Additional Requests 2020		\$ 1,276,200		
<b>Total Costs</b>		<b>\$ 17,515,942</b>		
Sources of Funding				
Government of Canada		\$ 4,430,400	25.3%	
Province of NS Contribution		\$ 7,691,631	43.9%	
Municipal		\$ 5,127,142	29.3%	
Carry Forward Contingency from 2019		\$ 209,189	1.2%	
Carry Forward Fundraising from 2019		\$ 57,580	0.3%	
<b>Total Funds</b>		<b>\$ 17,515,942</b>	<b>100%</b>	



Committee of the Whole Excerpts  
September 14, 2021

### **MOBILE CANTEEN BY-LAW**

With the increasing popularity and interest in mobile canteens an expression of interest to look deeper into operating a mobile canteen in the parking lot of a community hall was presented.

**The recommended motion was...**

**... COUNCIL REQUEST A STAFF REPORT ON AMENDING THE MOBILE CANTEEN BY-LAW RV-001 TO ALLOW MOBILE CANTEENS TO OPERATE ON COMMUNITY HALL PROPERTIES.**



## WEST HANTS REGIONAL MUNICIPALITY REPORT

Information <input type="checkbox"/>	Recommendation <input type="checkbox"/>	Decision Request <input checked="" type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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**To:** **Members of West Hants Council**

**Submitted by:** **Abraham Zebian, Mayor**

**Date:** September 14, 2021

**Subject:** Mobile Canteen

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### LEGISLATIVE AUTHORITY

MGA Section 172 (c)(f) Power to make bylaws

MGA Section 172 (2)(e) Power to provide for a system on licenses, permits, or approvals in any bylaw.

### RECOMMENDATION or DECISION REQUEST

COTW recommends that Council request a staff report on amending the Mobile Canteen By-Law (RV-001) to allow mobile canteens to operate on community hall properties.

### BACKGROUND

On July 27, 2021 West Hants Regional Municipality Council passed seconding reading of the new Mobile Canteen bylaw. The bylaw is very clear in allowing mobile canteens to operate within certain zones in our region.

With the increasing popularity of mobile canteens and the increased interest from residents wishing to pursue business opportunities by operating a mobile canteen I began looking at the bylaw in more detail. At the same time, I was approached by a resident wishing to operate a mobile canteen in the parking lot of a community hall. The resident was informed they could not operate at the community hall parking lot because it did not fall within the permitted zone. So, I reached out to many of our local community halls to inquire their thoughts on having the ability to rent their parking to a mobile canteen as an extra revenue source. I did not have a single hall who did not like the idea and I was informed it would greatly help with revenue generation, especially after the limiting of fund raising due to Covid 19. I then looked at the possibility of a canteen conflicting with a bricks and mortar restaurants and I don't see any issues in regards to the remote locations of community halls.



I believe this is a win-win for our local community halls at the same time encouraging entrepreneurs without affecting brick and mortar restaurants.

Property <input checked="" type="checkbox"/>	Public Opinion <input type="checkbox"/>	Environment <input type="checkbox"/>	Social <input checked="" type="checkbox"/>	Economic <input checked="" type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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### **NEXT STEPS**

If passed by Council, staff to provide a report on allowing mobile canteens to operate on community hall property.

### **FINANCIAL IMPLICATIONS**

Financial implication would be staff time.

### **ALTERNATIVES**

Council could not request a report on allowing mobile canteens on community hall property.

Council could request something different.

### **ATTACHMENTS**

None

### **CHIEF ADMINISTRATIVE OFFICER REVIEW**

It is my initial understanding that there is a desire to permit mobile canteens on properties identifiable as Community Halls. The spirit of the recommendation is to permit mobile canteens to enhance the events and activities at these locations, to create additional places for social gatherings, to provide food service alternatives and to generate potential revenues through the rental of space for community groups.

It is important to note the rationale for the current areas permitting mobile canteens and how they relate to the surrounding properties and not just the lands the community halls are on. Staff will explore these factors as well as timing and provisions for mobile canteens during special events as well as long term vacancy of canteens in restricted and permitted areas.

I support the recommendation.

Report Prepared by: Abraham Zebian, Mayor

Report Approved by:

  
Mark Phillips, Chief Administrative Officer



Committee of the Whole Excerpts  
September 14, 2021

### **NSFM Caucus Report**

Mayor Zebian was approached by NSFM to confirm West Hants Regional Municipality's place in the caucus structure. As a former president of NSFM, Councillor Murley was asked to present a report and recommendation request to aid in Council's decision.

#### **The recommended motion was...**

**... THE WEST HANTS REGIONAL MUNICIPALITY CONTINUE ITS MEMBERSHIP IN THE NSFM REGIONAL CAUCUS TO ENSURE THAT THE REGION'S DIVERSITY IS FULLY RECOGNIZED, AND FURTHER; SO THAT WEST HANTS MAY GAIN INSIGHT INTO THE UNIQUE OPPORTUNITIES AND CHALLENGES FACED BY IT'S REGIONAL CAUCUS COLLEAGUES IN HALIFAX AND CAPE BRETON THAT ALSO REPRESENT RURAL AND GROWTH CENTERS.**



## WEST HANTS REGIONAL MUNICIPALITY REPORT

Information <input type="checkbox"/>	Recommendation X	Decision Request X	Councillor Activity <input type="checkbox"/>
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**To:** West Hants Regional Municipality Committee of the Whole

**Submitted by:** Laurie Murley, Councillor

**Date:** September 14, 2021

**Subject:** NSFM Caucus Membership

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### LEGISLATIVE AUTHORITY

Bill 55 – Region of Windsor and West Hants Municipality Act

### RECOMMENDATION or DECISION REQUEST

COTW recommends West Hants Regional Municipality continue its membership in the NSFM Regional Caucus to ensure that the Region's diversity is fully recognized, and further; so that West Hants may gain insight into the unique opportunities and challenges faced by its regional caucus colleagues in Halifax and Cape Breton that also represent both rural and growth centers.

### BACKGROUND

Mayor Zebian was approached by NSFM to confirm West Hants Regional Municipality's place in the caucus structure. As a former president of NSFM, I was asked to present a report and recommendation request to aid in Council's decision.

In order to understand the benefits of the NSFM caucus structure and West Hants Regional Municipality's membership within it - some background is required about both the NSFM and Bill 55, Region of Windsor and West Hants Municipality Act.

The Nova Scotia Federation of Municipalities, formerly the Union of Nova Scotia Municipalities, was incorporated in 1981 under the Act to Incorporate the Union of Nova Scotia Municipalities. The Act was amended on May 22, 2003. The objectives of the Federation can be found in Article 2 of the By-laws. Among the nine objectives are the following which pertain more closely to this recommendation.

**Article 2a** - represent the interests of municipal governments in the Province, and to act as the advocate for member units on all such matters as are properly within the jurisdiction of the government of the Province.

**Article 2d** – hold Annual Conferences for information, discussion, and resolutions, and to hold a general workshop and discussion sessions at each Annual Conference to give delegates an opportunity to present problems or concern.

**Article 2g** – further municipal interests by encouraging cooperation between municipal units.

The definition of each of the three legal structures units enjoy are:

“Regional Municipality” means a regional municipality established by, or continued pursuant to, the Municipal Government Act.

“Rural Municipality” means a county or district municipality.

“Town” means an incorporated town.

West Hants Regional Municipality, as an NSFM member in good standing, has certain rights (Article 3.6) that include: membership in a Caucus, without additional fees; receiving notice of members’ meetings; sending voting delegates to members’ meetings where they may speak and vote on behalf of the Member Unit; etc.

### **Article 3.10 Caucuses – Role and Governance**

- a) There are caucuses of Member Units constituted as follows:
  - i. The regional municipalities, excluding the Region of Queens Municipality,
  - ii. The towns,
  - iii. The rural municipalities, including the Region of Queens Municipality
- b) No Caucus has the authority to speak on behalf of the Federation or to bind the Federation.
- c) Caucuses operate within the framework of the Federation and as part of the Federation structure and have no independent legal existence separate from the Federation.
- d) Procedures on election of a Caucus member to be a caucus chair are outlined in the “Federation Elections Policy”.
- e) Each Caucus
  - . must elect an Elected Municipal Official to serve as Caucus Chair, who then is appointed to serve as a member of the Board;
  - . may make recommendations to the Federation on matters of interest and concern to members of the Caucus;

## **Article 4 – Officers**

### **4.1 Officers**

- a) The Officers of the Federation are the President, Vice President and Past President.
- c) The President and Vice President of the Federation are elected by Elected Municipal Officials at the Annual General Meeting and serve a one-year term or until their successors are elected at the next Annual General Meeting.
- d) The Officer positions rotate on an annual election cycle so that the positions of President, Vice President and Past President are filled by Elected Municipal Officials from towns, rural municipalities and regional municipalities in sequence.
- e) For greater clarity, in 2019-20, the President is from a town; the Vice President is from a rural municipality and the Past President is from a regional municipality. In 2020-2021, the President shall be from a rural municipality, the Vice President from a regional municipality and the Past President from a town. In 2021-2022, the President shall be from a regional municipality, the Vice President from a town and the Past President from a rural municipality. This cycle will continue in the previously described order.

## **Bill 55 – Region of Windsor and West Hants Municipality Act**

18 (1) Clause 3 of Chapter 18 of the Acts of 1998, the Municipal Government Act, is repealed and the following clause substituted:

“regional municipality” mean a regional municipality established by or continued by an enactment and includes

- i) The Cape Breton Regional Municipality,
- ii) The Halifax Regional Municipality,
- iii) The Region of Queens Municipality, and
- iv) The Region of Windsor and West Hants Municipality,

## **DISCUSSION**

West Hants Regional Municipality, as per Bill 55, is a regional municipality. Bill 55 bought our rural areas and one of our growth centres, Windsor, together to allow us to build a municipality that is financially and administratively stronger. We now strive to deliver better services to residents and have ended regional competition for investment, that once would have resulted in outcomes, that would often result in winners and losers.

As a regional municipality we enjoy the best of both worlds. We celebrate the diversity of both our rural and growth centres and see the value of every community across our Region.

Our governance, finances and taxation, economics, provision of services, infrastructure, demographics, and sociocultural identity are more closely aligned with our NSFM Regional Caucus colleagues than any other caucus. There are both opportunities and challenges that we face under a regional governance structure that Halifax and Cape

Breton Regional Municipalities have been dealing with for years. They too have built infrastructure, inadequate provincial roads and transportation challenges and they have the opportunity to discuss these topics within the Regional Caucus. As a member of the NSFM Regional Caucus we can leverage their knowledge to benefit our own rural and growth centres. Now, is not the time to play small. We came together to grow our Region and we deserve to sit at the table with the Regional Caucus so that we can more effectively represent all of our residents, and what's more – our residents deserve it.

### **NEXT STEPS**

Recommendation to Council

### **FINANCIAL IMPLICATIONS**

There are no additional financial implications.

### **ALTERNATIVES**

None recommended.

### **ATTACHMENTS**

### **CHIEF ADMINISTRATIVE OFFICER REVIEW**

I concur with the remarks made by Councillor Murley in her thorough report. Particularly, her remarks surrounding the commonalities and community of interest that our new region has with other regional municipalities.

It is important to note that as a member of NSFM we will receive the same benefits that all members do whether members are representing a Town, Rural or Region Municipality. Being a member of the Regional Caucus provides the opportunity to discuss and network with others facing the same issues at noted in this report.

I support the recommendation.

Report Prepared by: \_\_\_\_\_  
Laurie Murley, Councillor District 10

Report Reviewed by: \_\_\_\_\_  
Deanna Snair, Executive Assistant/Municipal Clerk

Report Approved by:  \_\_\_\_\_  
Mark Phillips, Chief Administrative Officer



Committee of the Whole Excerpts  
September 14, 2021

### **OUTDOOR FIRE BY-LAW**

At the November COTW meeting, Council gave direction to staff to review the current By-Laws in place prior to consolidation.

**The recommended motion was...**

**... TO POSTPONE THE MOTION UNTIL JANUARY TO ALLOW FOR PUBLIC ENGAGEMENT AND INPUT.**





## WEST HANTS REGIONAL MUNICIPALITY REPORT

Information <input type="checkbox"/>	Recommendation <input checked="" type="checkbox"/>	Decision Request <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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**To:** Committee of the Whole

**Submitted by:** \_\_\_\_\_  
Shelleena Thornton, Municipal Operations Supervisor

**Date:** September 14, 2021

**Subject:** Outdoor Fires By-Law RO-001

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### LEGISLATIVE AUTHORITY

*Municipal Government Act*, R.S.N.S. 1998, c. 18:

- 172 (1) A council may make by-laws, for municipal purposes, respecting
- (a) the health, well being, safety, and protection of persons;
  - (b) the safety and protection of property;
  - (c) persons, activities and things in, on or near a public place or place that is open to the public;
  - (d) nuisances, activities and things that, in the opinion of the council, may be or may cause nuisances, including noise, weeds, burning, odours, fumes and vibrations...

Fire and Emergency Services

Powers where fire

- 297 (1) When any fire, rescue or emergency occurs, the fire chief or other officer in charge, and any person under the direction of that officer, shall endeavour to extinguish the fire and prevent it from spreading, conduct the rescue or deal with the emergency and, for that purpose, may
- (a) command the assistance of persons present and any inhabitant of the municipality;
  - (b) remove property from buildings on fire or in danger of fire;
  - (c) take charge of property;
  - (d) enter, break into or tear down any building;

- (e) exclude and remove persons and vehicles from the building or vicinity; and
  - (f) generally, do all things necessary to respond to the emergency.
- (2) It is an offence to disobey any lawful order or command of the officer in charge.

## DECISION REQUEST

...that Committee of the Whole recommends that Council give First Reading and proceed to a Public Hearing and Second Reading for the Outdoor Fires By-law RO-001, XXX, which includes the repeal of the Outdoor Fires By-Law #39 for the former Town of Windsor dated December 2, 2010; the Fire and Burning Materials By-Law 1-93 for the former Town of Hantsport dated October 29, 1993; and the Fire Protection By- Law for the former Municipality of West Hants dated May 12, 1994, as presented to Committee of the Whole on September 14, 2021.

## BACKGROUND

Property <input type="checkbox"/>	Public Opinion <input type="checkbox"/>	Environment <input checked="" type="checkbox"/>	Social <input type="checkbox"/>	Economic <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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With the creation of the West Hants Regional Municipality (WHRM) on April 1, 2021, it was necessary that a new Regional Outdoor Fire By-Law be created to clarify and consistently meet the needs for the entire region.

On July 1, 2015, the former Town of Hantsport dissolved into the West Hants Municipality and on April 1, 2020, the former Town of Windsor and West Hants Regional Municipality consolidated.

Prior to consolidation, each entity (the former Town of Windsor, former Town of Hantsport, and the former West Hants Municipality) had their own By-Laws regarding Outdoor Fires, Burning of materials and Fire protection. None of which uniformly addressed the needs of the entire region once consolidation occurred.

A Regional By-Law will encompass the entire West Hants Regional Municipality to ensure consistency, cohesiveness, and clarity for all citizens within the Region.

At the November 10, 2020, Committee of the Whole meeting, staff was directed to review existing fire-related By-Laws.

With this directive, staff reviewed each entity's By-Law, consulted with Fire service experts, By-law Enforcement, the RCMP, and a new Regional By-Law where all communities within the Region uniformly agree to follow the same practices. The proposed by-law has also been vetted through the Solicitor.

## **DISCUSSION**

The former Town of Hantsport Fire Burning Materials By-Law, number 1-93 only pertains to fires that are intended for the purpose of food preparation. Any other type of fire requires a special burn permit from the Fire Chief and is subject to financial penalties for violations.

The former Town of Windsor By-Law #39 does expand on areas of permitted outdoor fires that allows for fires outside of food preparation so long as the burning appliances installation instructions are followed, a mesh screen or spark arrestor are present, the burning appliance is more than 15 feet from any building, flammable/combustible material, or property line and it cannot be placed on a wooden deck or a combustible platform. This By Law also requires a special burn permit to burn trees, shrubs, brushes, wood, or other vegetation and is also subject to financial penalties up to but not exceeding \$5,000.00 for violations.

The former West Hants Municipality Fire Protection By-Law allowed for open burning of materials that are defined as combustible under the By Law between the months of October 15<sup>th</sup> - April 15<sup>th</sup> without a permit. Outside of this time frame a permit issued by the Department of Natural Resources is required to have open fires so long as it is not within 100 feet of another property owners building. This By Law is also subject to financial penalties up to but not exceeding \$10,000.00 for violators and imprisonment if payment is defaulted.

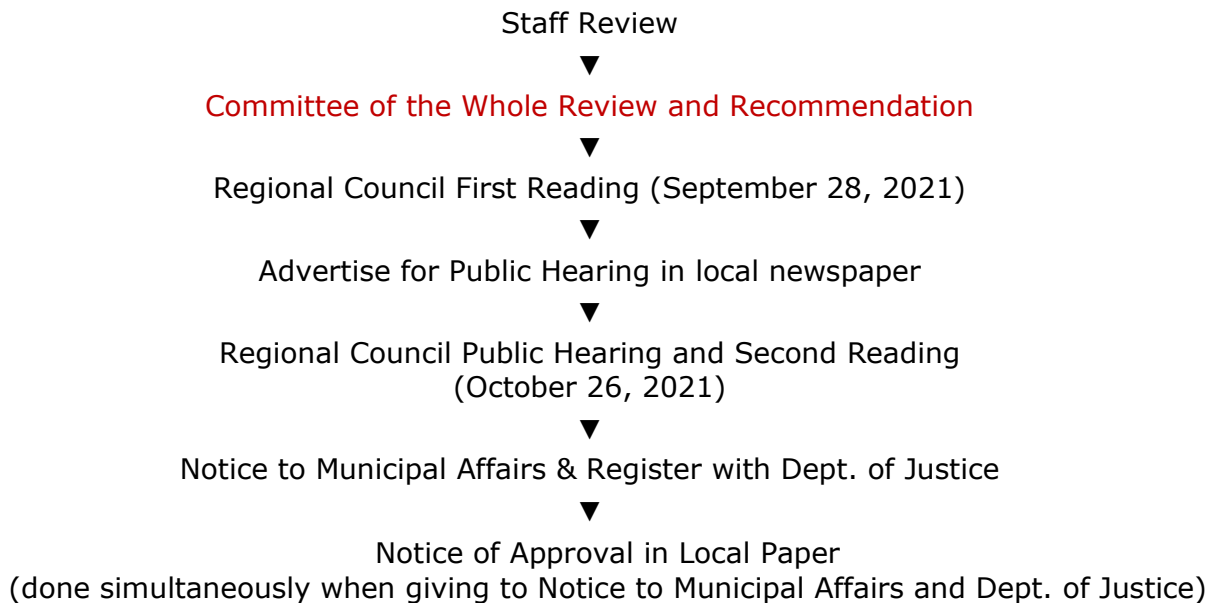
All three By-Laws outline varying definitions regarding terms of reference, definitions surrounding prohibited and permitted open air fires and safe, acceptable distances from combustible materials as well as varied financial penalties for violations. This causes confusion when interpreting the By-Law depending on location and which former By-Law is in effect for that area.

Upon direction from Council, staff reviewed all three former By-Laws, consulted the Municipal Government Act, and referenced Fire and Emergency Services to formulate a By-Law that encompasses a vast amount of the former regulations while expanding on definitions in areas to allow for chimineas, outdoor furnaces and such. A revised By-Law will expand to all communities within the West Hants Regional Municipality to ensure cohesiveness. Within this By-Law, a fire permit is no longer required so long as the individual complies with the NS Forest Act and meets all criteria outlined in the draft By-Law.

## **NEXT STEPS**

Should COTW support this recommendation, Council will give first reading at its September 28, 2021 Council meeting and hold a public hearing and second reading at the October 26, 2021 Council meeting. Should second reading be approved, all former by-laws would be repealed. Notice of a public hearing will be placed in the newspaper, on the website and on social media.

The proposed steps for approval of the Outdoor Fires By-law RO-001 are:



This by-law does not require Ministerial approval and would be effective when the Notice of Approval is in the local newspaper.

It is important to further note, that until registered with the Dept. of Justice and the Summary Offence Ticket booklet is updated, any penalty enforcement would need to be done by long-form rather than summary offence ticket.

## **FINANCIAL IMPLICATIONS**

There are no financial implications.

## **ALTERNATIVES**

1. Committee of the Whole could choose to not recommend that Council give first reading of the draft, Council may choose not to support the new revised By-Law which would not repeal the current By-Laws in place. This is not the recommendation to Council.
2. Council may choose to provide alternative direction, such as requesting further information which may include a revised By-Law.

## **ATTACHMENTS**

- Proposed West Hants Regional Municipality Outdoor Fire By-law RO-001
- Former Town of Windsor #39 Outdoor Fires Bylaw
- Former Town of Hantsport By-Law 1-93, Fires and Burning of Materials By-Law
- Former Municipality of the District of West Hants Fire Protection By-Law

## CHIEF ADMINISTRATIVE OFFICER REVIEW

The draft by-law is in keeping with the discussions and review by operations over the past year. It is further a reflection of feedback from the fire services in relation to the administration and enforcement of the by-law.

I support the recommendation and the draft by-law but make note that revisions can be made pending feedback from the public hearing process. Should revisions be substantial, the by-law adoption process would need to start over.

Report Prepared by: \_\_\_\_\_

Report Reviewed by: \_\_\_\_\_

Shelleena Thornton,  
Municipal Operations Supervisor

Report Approved by:  \_\_\_\_\_  
Mark Phillips, CAO

*OUTDOOR FIRES BY-LAW*

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**Enabling Legislation**

*Municipal Government Act, R.S.N.S. 1998, c. 18:*

- 172 (1) A council may make by-laws, for municipal purposes, respecting
- (a) the health, well being, safety, and protection of persons;
  - (b) the safety and protection of property;
  - (c) persons, activities and things in, on or near a public place or place that is open to the public;
  - (d) nuisances, activities and things that, in the opinion of the council, may be or may cause nuisances, including noise, weeds, burning, odours, fumes and vibrations...

**Fire and Emergency Services****Powers where fire**

- 297 (1) When any fire, rescue or emergency occurs, the fire chief or other officer in charge, and any person under the direction of that officer, shall endeavour to extinguish the fire and prevent it from spreading, conduct the rescue or deal with the emergency and, for that purpose, may
- (a) command the assistance of persons present and any inhabitant of the municipality;
  - (b) remove property from buildings on fire or in danger of fire;
  - (c) take charge of property;
  - (d) enter, break into or tear down any building;
  - (e) exclude and remove persons and vehicles from the building or vicinity; and
  - (f) generally do all things necessary to respond to the emergency.
- (2) It is an offence to disobey any lawful order or command of the officer in charge.

**Title**

1. This By-Law is entitled the "Outdoor Fires By-Law".

*OUTDOOR FIRES BY-LAW*

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**Definitions**

## 2. In this By-Law:

- (1) "acceptable appliance" means an outdoor receptacle which is constructed from bricks, concrete blocks, heavy gauge metal, stone or other suitable non-combustible components, has a spark arrestor or metal mesh screen, is positioned on a fire-proof surface, and does not exceed one (1) meter (3.3 feet) in width or in diameter when measured between the widest point or outside edges;
- (2) "camp fire" means a fire not exceeding sixty (60) centimeters in width at the largest point, and not piled higher than forty-five (45) centimeters in height, located at least five (5) meters (16.5 feet) from other combustible materials, started and maintained with the permission of the owner of the property where the fire is located;
- (3) "chimenea" means a chimenea or other small, commercially manufactured burning appliance constructed from a suitable fire resistant material and intended to burn small quantities of wood or charcoal;
- (4) "Fire Chief" means a fire chief, fire captain or chief officer of a fire department, , or other person designated by such person in and for the applicable fire protection district or area;
- (5) "fire-proof pad" means a pad made of non-combustible material(s), such as cement or concrete, that is resistant to heat;
- (6) "Municipal and/or Municipality" means West Hants Regional Municipality;
- (7) "nuisance" means interference with a neighbouring property owner's enjoyment of his or her property;
- (8) "open air" means anywhere that is not fully enclosed by a building or structure;
- (9) "owner" has the same meaning as in the Municipal Government Act;
  - (a) a part owner, joint owner, tenant in common or joint tenant of the whole or any part of land or a building,
  - (b) in the case of the absence or incapacity of the person having title to the land or building, a trustee, an executor, a guardian, an agent, a mortgagee in possession or a person having the care or control of the land or building,

*OUTDOOR FIRES BY-LAW*

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- (c) a person who occupies shores, beaches or shoals, and
- (10) (d) in the absence of proof to the contrary, the person assessed for the property. "solid waste" means solid waste as defined in the former Municipality of West Hants Solid Waste Management By-law and former Town of Windsor Solid Waste By-law;
- (11) "special constable" means a person(s) appointed by the Municipality to enforce Municipal by-laws;
- (12) "rural area" means that part of West Hants Regional Municipality which is not an urban area as defined herein;
- (13) "urban area" means those areas within West Hants Regional Municipality **which are serviced by Municipal water and sewer.**

**Prohibition on Open Air Fires**

- 3. Subject to the provisions of Provincial legislation regarding fires, no person shall light, ignite, start, allow or cause to be lighted, ignited or started, or add fuel to, or otherwise permit or encourage to burn, a fire of any kind whatsoever in the open air except as permitted under section 4.

**Permitted Open Air Fires**

- 4. Except as may be otherwise prohibited by law, an open air fire is permitted:
  - (1) for cooking food with propane, natural gas, charcoal or wood within a portable or fixed barbeque in which the fire is contained on its underside and on at least three sides;
  - (2) in an acceptable fire pit or chimenea, provided that:
    - (a) a spark arrestor or mesh screen is used to contain any sparks or blowing debris;
    - (b) only clean, dry wood or charcoal is burned;
    - (c) in the case of an acceptable fire pit, the fire pit is located at least five (5) meters (16.4 feet) from any building, flammable structure, combustible material or property line;
    - (d) in the case of a chimenea:



*OUTDOOR FIRES BY-LAW*

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- (i) the chiminea is positioned on a fire-proof pad that extends at least fifty (50) centimeters (19.7 inches) outward from where the door of the chiminea is located and twenty (20) centimeters on all other sides;
  - (ii) the chiminea is at least five (5) meters (16.5 feet) from all buildings and at least one (1) meter (3.3 feet) from any wooden surface that is not appropriately screened with a CSA approved fire-proof material;
  - (iii) if the operating instructions that come with the chiminea are stricter than the standards in this By-Law, the position and operation of the chiminea must comply with those operating instructions;
  - (e) a responsible adult who is equipped with tools or equipment to contain an outdoor fire (which may include brooms, rakes, back tanks, shovels, hoses and an adequate water supply), is present on the property and supervising while the fire is burning and until the fire is fully extinguished;
  - (f) a fire extinguisher is available on the property and within a reasonable distance from where the fire is located; and
  - (g) the fire does not create a nuisance.
- (3) for training purposes, or as a preventative measure intended to reduce the risk or spreading of a more serious fire, if the burning is carried out or supervised by a fire department, brigade or service which is registered pursuant to the Fire and Emergency Service Policy, COGE-007.00 or by any person responding reasonably to an emergency;
  - (4) for organized competitions where lighting fires is a component, such as the water boil in a woodsmen's competition;
  - (5) by a person lost or in distress in a wooded area, if reasonable precautions are taken against the spreading of the fire;
  - (6) for a campfire in a rural area;
  - (7) for a fire in a rural area between March 15<sup>th</sup> to October 15<sup>th</sup> as per the NS Forest Act provided that:

*OUTDOOR FIRES BY-LAW*

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- (a) the fire is initiated by or authorized by the owner of the property where the fire is situated;
  - (b) the fire is for the purpose of:
    - (i) weed control or other agricultural or forestry purposes, including the elimination of infestations of insects or disease;
    - (ii) brush removal or land clearing;
    - (iii) the burning of grass or other vegetation; or
    - (iv) the demolition of wooden structures or of wooden construction materials or other combustible waste which is not acceptable for composting under the Municipality's Solid Waste By-Laws.
  - (c) the fire is not within one hundred (100) meters (328 feet) of a dwelling located on other property;
  - (d) the fire is not within twenty (20) meters (66 feet) of any structure;
  - (e) the fire is not within twenty (20) meters (66 feet) of another property, except with the express written consent of the owner and occupant of such other property;
  - (f) the fire is not within three hundred five (305) meters (1,000 feet) of woods as per the Nova Scotia Forest Act;
  - (g) the fire is not started or permitted to continue when the wind is blowing of sufficient velocity to jeopardize the ability to control the fire;
  - (h) the fire is not left unattended by the owner of the property or an adult authorized and designated by the owner to be responsible for the fire;
  - (i) the owner or adult responsible for the fire is suitably equipped with appropriate tools such as rakes, shovels, and water tanks or other suitable water source, or, for substantial burning, mechanical equipment that may be used to suppress a fire, such as a bulldozer, and any other equipment that is necessary or prudent to control or extinguish the fire;
  - (j) the fire is not fueled by, or allowed to burn anything, except wood, brush, and vegetation or byproducts thereof; and
  - (k) any smoldering embers from the fire are completely extinguished after the burning is completed.
- (8) between the dates of October 15 to March 15, provided that:

*OUTDOOR FIRES BY-LAW*

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- (a) the owner or person responsible for the fire have received any necessary approvals from the Province with respect to the fire;
- (b) the fire is not within twenty (20) meters (66 feet) of any structure;
- (c) the fire is not within twenty (20) meters (66 feet) of another property, except with the express written consent of the owner and occupant of such other property;
- (d) the fire is not started or permitted to continue when the wind is blowing of sufficient velocity to jeopardize the ability to control the fire;
- (e) the fire is not left unattended by the owner of the property or an adult authorized and designated by the owner to be responsible for the fire;
- (f) the owner or adult responsible for the fire is suitably equipped with appropriate tools such as rakes, shovels, and water tanks or other suitable water source, or, for substantial burning, mechanical equipment that may be used to suppress a fire, such as a bulldozer, and any other equipment that is necessary or prudent to control or extinguish the fire;
- (g) the fire is not fueled by, or allowed to burn anything, except wood, brush, and vegetation or byproducts thereof; and
- (h) and any smoldering embers from the fire are completely extinguished after the burning is completed.

**Outdoor Furnaces**

5. Wood burning furnaces or appliances which are located outside a building intended to receive heat or hot water from such furnace or appliance may not be installed or used
- (1) in an urban area unless:
    - (a) it has a chimney that extends to a height of at least four (4) meters above the grade of the surrounding soil; and
    - (b) the furnace or appliance, its chimney, and any support structure for the chimney, complies with any applicable requirements pursuant to the *Building Code Act*, *Fire Safety Act*, and the Municipality's Building Code Act By-Law RB-001; and

*OUTDOOR FIRES BY-LAW*

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- (c) the furnace or appliance is constructed, installed and operated in compliance with the same requirements as are set out in subsection (2) for such furnaces or appliances in rural areas;
- (2) in a rural area unless:
  - (a) the manufacturer's installation instructions are followed;
  - (b) the furnace or appliance is not placed on a wooden deck or other combustible platform;
  - (c) clearance of five (5) meters is observed in all directions from other combustible materials, including any dwelling; and

**Immediate Notification of Fire Department**

6. In the case of any fire, the person who lit or otherwise started the fire, or allowed the fire to start, must notify the fire department in and for the applicable fire protection district if the fire is or appears to be unable to be controlled.

**Authority of Fire Chief**

7. (1) The Fire Chief shall have control over the prevention and suppression of fires governed by this By-Law, and shall have the authority to extinguish or order extinguished any fire which:
- (a) poses a health or safety hazard to persons or property;
  - (b) in the opinion of the Fire Chief is causing a nuisance; or
  - (c) does not meet the provisions of this By-law.
- (2) The Fire Chief, Special Constable, and/or RCMP may enter upon any land, at any reasonably necessary time, for the purpose of performing their duties and functions pursuant to this By-Law.

**Penalty**

8. (1) Any person who contravenes any provision of this By-Law is guilty of an offence punishable on summary conviction by a fine of not less than two hundred fifty dollars (\$250.00) and not more than five thousand dollars (\$5,000).
- (a) In addition to any fine or imprisonment imposed, the Court or Judge may order the person convicted to pay all expenses incurred in correcting the

*OUTDOOR FIRES BY-LAW*

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contravention of the by-law or any damages associated with such contravention.

- (b) Where any person is in contravention of any provision of this By-law, the Fire Chief may direct in writing, that the contravention be remedied in the manner and within the time specified.
- (c) Upon the failure of the person to comply with such notice, the Fire Chief may order the remedy, and recover the cost of such work from the property owner.
- (d) The Municipality's cost to remedy the contravention pursuant to any provision of the by-law shall constitute a lien against the property owner which shall be applied and enforced in the same manner as for rates and taxes.

- (2) In lieu of prosecution under this By-law, Special Constable may, in their sole and absolute discretion, issue to any person they believe, upon reasonable grounds, has committed an offence under this By-law, a Notice of Violation, which Notice shall require the person to whom it is directed, to pay to the Municipality with fourteen (14) days of the issuance of the Notice, the sum of \$100.00 (one hundred dollars), for an offence outside that of Provincial legislation. Where a Notice of Violation is issued and if that sum is paid as required therein, no prosecution shall ensue in respect to the matter or matters referred to in the Notice. For greater certainty, nothing in this by-law requires the Municipality to issue a Notice of Violation before initiating a prosecution.

**Repeal**

9. (1) The former Town of Hantsport - By-Law 1-93 Fires and Burning of Materials By-law approved by the Minister on the 29th day of October, 1993; and  
The former Town of Windsor Windsor Outdoor Fires Bylaw - #39 approved December 02, 2010; and  
The former Municipality of the District of West Hants Fire Protection By-law dated September 14, 2004 are all hereby repealed.

OUTDOOR FIRES BY-LAW

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I, (Municipal Clerk Name), Municipal Clerk of the West Hants Regional Municipality, in the Province of Nova Scotia, do hereby certify that this is a true copy of the By-law as adopted by the Council of the West Hants Regional Municipality at a meeting duly called and held on the \_\_\_\_ day of \_\_\_\_\_(month), \_\_\_\_\_(year).

(Signature of Municipal Clerk)

(Typed name of Municipal Clerk)

By-law Adoption	
First Reading:	Date
Notice Published:	Date
Second Reading & Approval:	Date
Final Publication:	Date
Notice to Municipal Affairs:	Date
Description:	



**TOWN OF WINDSOR  
BYLAW#39  
Respecting**

**Outdoor Fires Bylaw**

**AUTHORITY**

**39.01**

Sections 172 (a), (b), and (d) of the Municipal Government Act provides municipalities with the power to make bylaws respecting the health, well-being, safety and protection of persons, the safety and protection of property, and activities that may cause nuisances including burning, odours and fumes.

**INTERPRETATION**

**39.02**

In this bylaw:

- (1) "Acceptable Outdoor wood burning appliance" means an outdoor receptacle which is constructed from bricks, concrete blocks, heavy gauge metal, stone or other suitable non-combustible components, and has a spark arrestor or metal mesh screen, and, does not include outdoor wood furnaces;
- (2) "Council" means the Council for the Municipality of the Town of Windsor;
- (3) "Fire Chief" means the Fire Chief of the Windsor Fire Department or his / her designate.
- (4) "Garden and Yard Waste" means any shrubbery, tree prunings, leaves, brush, weeds, grass, roots, tree stumps, turf and similar vegetation;
- (5) "General Waste" means any rubbish, garbage, non-wooden material, packaging, containers, bottles, cans, rags, clothing, petroleum products, manure or sewer;
- (6) "Hazard" means a risk of damage or nuisance which may be caused by the burning of any general waste, and which may adversely affect property and/or persons;
- (7) "Non-designated Material" means tires, waste dangerous goods as defined in the Dangerous Goods Management Regulations pursuant to the *Environment Act*, Stats. N.S., 1994-1995,c.1 and amendments

thereto; used oil as defined in the used oil regulations pursuant to the ***Environment Act***, supra; railway ties or other wood treated with wood preservative; material containing rubber or plastic; painted wood; garbage, food products, organics such as animal remains;

- (8) "Nuisance" means the causing of any smoke or other emission from any fire permitted under this bylaw, or otherwise, that adversely affects the reasonable enjoyment by other persons of their property;
- (9) "Outdoor Wood Furnace" means an outdoor wood-burning appliance, or a solid fuel burning appliance, used for the space heating of buildings, the heating of water or other similar purposes;
- (10) "Portable Barbecuing Appliance" means any appliance used for the purpose of cooking food outdoors, normally fuelled by liquefied petroleum gas, natural gas, compressed briquettes or charcoal;
- (11) "Town" means the Town of Windsor.

## **OUTDOOR FIRES PROHIBITED**

- 39.03**
- (1) No person shall be permitted to operate an open fire pit within the Town;
  - (2) No person shall be permitted to have an outdoor fire within the Town, on any land owned or occupied by such person, or on any public lands owned by the Town, unless contained in an acceptable outdoor wood burning appliance;
  - (3) No person shall be permitted to burn non-designated material, general waste, or garden and yard waste on any lands owned or occupied by such person, or on any other lands within the Town.

## **OUTDOOR FIRES PERMITTED**

- 39.04**
- (1) Persons shall be permitted to cook food using a portable barbecue, other food preparation appliances (designed for outdoor use) or outdoor wood burning appliances;
  - (2) Persons using outdoor gas or wood burning appliances in the Town of Windsor shall be permitted to do so but the following provisions shall apply:
    - (a) The manufacturer's installation instructions must be followed;
    - (b) only dry seasoned firewood shall be used as it burns with little or no smoke by-product;
    - (c) a spark arrestor or mesh screen is used to contain any sparks or blowing debris;
    - (d) the acceptable outdoor wood burning appliance shall be located in excess of 15 feet from any building, flammable structure, combustible material or property line;



- (e) notwithstanding Section 39.04 (2) (d), the acceptable outdoor wood burning appliance must not be placed on wooden decks or combustible platforms;
- (f) the fire does not create a nuisance;
- (g) a responsible adult is present on the property while the fire is burning and until the fire is extinguished;
- (h) a fire extinguisher, or other means of extinguishing a fire, acceptable to the Fire Chief/or designate, is within reasonable distance from where the fire is located.

## **SPECIAL BURN PERMITS**

**39.05** Special burn permits are required for the following activities:

Open air burning of trees, wood, shrubs, bushes or other vegetation:

- (a) special permission from the Fire Chief of the Windsor Fire Department;
- (b) a burning permit; and
- (c) compliance with the provisions of this By-Law

## **PERMITTED CIRCUMSTANCE**

**39.06** Nothing in this Bylaw shall apply to the Windsor Fire Department while engaged in training sessions or other related activities if authorized by the Fire Chief or his designate.

## **PERMIT APPLICATION**

- 39.07**
- (1) Where a permit is required under this By-law, an application shall be made to the Fire Chief;
  - (2) Where the Fire Chief determines that the proposed burning would be a hazard to safety or where there is a failure to meet the requirements of the By-Law, the Fire Chief shall refuse to issue a permit;
  - (3) In making a determination under Section 39.09 (2) the Fire Chief may take into consideration any number of factors which may include but are not necessarily be limited to the following:
    - (a) the number of permits issued on a particular day;
    - (b) the velocity of the wind;
    - (c) the general weather conditions prevalent;
    - (d) whether or not the applicant is suitably equipped to ensure the fire is maintained under control;
    - (e) the proposed manner and method of burning;
    - (f) whether the applicant owns or is the occupant of the land upon which the burning is intended to occur, or has the written consent,

produced prior to the issuance of the permit, of the owner of the land which the burning will occur;

- (g) whether the applicant is 19 years of age or older and ensures that at least one other person, of 19 years of age or older, suitably equipped to control the fire, will be present while the fire is burning or smoldering;
  - (h) any other matter the Fire Chief determines relevant to safety.
- (4) A permit issued under the authority of this By-Law may be revoked by the Fire Chief at any time where it is determined that the proposed burning will pose a hazard to persons or property or where the conditions of the permit have not been met;
  - (5) The Fire Chief may specify on the permit the hours of the day and the number of days during which the permit shall be valid, and in so doing, may distinguish between permits issued for commercial or other uses, but no permit shall be issued for a period exceeding fourteen (14) days;
  - (6) The Fire Chief may designate the location where and the hours during which applications for permits shall be received.

## FEES

**39.08** Where application is made for a permit, a non-refundable \$ 50.00 (fifty dollars) **Application Fee** must be paid before application is processed.

Upon successful application, a \$ 50.00 (fifty dollar) **Permit Fee** must be paid in full before permit is issued.

## OFFENCES AND PENALTIES

- 39.09**
- (1) Any person who contravenes or fails to comply with any of the provisions of this bylaw shall be liable to a penalty no less than \$250 and not exceeding \$5,000 for each offence, as per Schedule A attached.
  - (2) In addition to any penalty imposed as a result of a guilty plea, the Town may levy a fee for reimbursement of all expenses incurred or damages associated with the offence.

## REPEAL

**39.10** **Bylaw #18** of the Town Bylaws entitled Prevention of Fires Bylaw and any amendments thereto, shall be hereby repealed.

## EFFECTIVE DATE

**39.11** This Bylaw shall be effective upon publication.

**CAO/Clerk's Annotation (Office Use Only)**

Date of first reading:	September 28, 2010
Dates of advertisement of Notice of Intent to Consider:	Oct. 21 & Nov. 4, 2010
Date of second reading:	November 23, 2010
*Date of advertisement of Passage of Bylaw:	December 02, 2010
Date of mailing to Minister a certified copy of Bylaw:	December 03, 2010

I certify that this Outdoor Fires Bylaw was adopted by Council and published as indicated above.



---

Louis Coutinho, CAO  
Town of Windsor

# Schedule "A"

Offence	Penalty
First Offence	\$ 250.00
Second Offence	\$ 1,000.00
Third Offence	\$ 5,000.00



**Town of Hantsport  
By-law #1-93**

## **Fires and Burning of Materials By-law**

1. This By-law shall be known as the Fires and Burning of Materials By-law, number 1-93.
2. No person shall ignite, set fire to or burn any materials, articles or substances whatsoever, out of doors, within the limits of the Town of Hantsport, except as provided by this By-law.
3. This By-law shall not apply to the setting of fire or burning of charcoal or other flammable materials commonly used for the purpose of a barbeque or similar outdoor cooking, when intended for the purpose of food preparation.
4. The Fire Chief may, from time to time, issue a special burning permit to an applicant and may prescribe within the permit:
  - a) The number of people required to supervise the burning.
  - b) The conditions under which the fire may be set.
  - c) The types of materials that will be permitted to be burned.
  - d) The hours and day on which the burning shall take place.
  - e) The location at which the fire may be set.
5. The penalties for violation of the provision of this By-law are as provided by the Town's Act, R.S.N.S. 1989, c. 472, and amendments thereto.
6. This By-law shall not apply to the persons acting directly under the authority of the Fire Chief of the Hantsport Fire Department in the performance of his duties.
7. All Fires and Burning of Materials By-laws of the Town now in force are hereby repealed and this By-law substituted therefore.

Passed by the Town Council of the Town of Hantsport on the 5<sup>th</sup> day of October, 1993.

Approved by the Minister of Municipal Affairs on the 29<sup>th</sup> day of October, 1993.

BE IT RESOLVED THAT THE FOLLOWING BE AND  
THE SAME IS HEREBY ADOPTED AND ENACTED AS  
A BY-LAW OF THE MUNICIPALITY OF THE  
DISTRICT OF WEST HANTS

## FIRE PROTECTION BY-LAW

1. The Fire Protection By-law passed by the Council of the Municipality of the District of West Rants on the 11<sup>th</sup> day of May, A.D., 1994 and approved by the Minister of Municipal Affairs on the 12<sup>th</sup> day of May, A.D., 1994 be and is hereby repealed and the following is substituted therefor.
2. In this By-law,
  - (a) "Controlled Combustion Unit" means an incinerator, furnace, barrel, drum, tank or container;
  - (b) "Designated Material" means:
    - (i) tires;
    - (ii) waste dangerous goods as defined in the Dangerous Goods Management Regulations pursuant to the *Environment Act*, Stats. N.S., 1994-1995, C. 1 and amendments thereto;
    - (iii) used oil as defined in the used oil regulations pursuant to the *Environment Act*, supra;
    - (iv) a railway tie or other wood treated with wood preservative;
    - (v) a material containing rubber or plastic;
    - (vi) painted wood;
    - (vii) garbage, food products, organics such as animal and human remains but does not include dry leaves and dry grass.
  - (c) "Furnace" means any equipment, apparatus, device or structure designed to burn solid, liquid or gaseous fuel for the purpose of heating, drying, generating power or processing steam or any combinations thereof;
  - (d) "Incinerator" means any equipment, apparatus, devise or structure designed to incinerate waste which is capable of controlling the combustion temperature,

the degree of gaseous mixing and the length of time that the combustion gases reside in the incinerator;

- (e) "Material" means combustible material other than designated material;
  - (f) "Municipality" means the Municipality of the District of West Hants;
  - (g) "Open Burning" means burning of material not carried out in a controlled combustion unit.
3. (a) No person shall carry out, cause, permit or be responsible for the open burning of designated material.
- (b) Subsection (a) does not apply to open burning conducted by a person or organization that is authorized by the Province to conduct courses to train fire fighting personnel.
- (c) Subsection (a) does not apply to a Municipality that conducts open burning in accordance with the provisions of the Municipal Waste Incinerator Regulations.
4. (a) Subject to Section 5(a)(ii) and 5(a)(iii), the burning of material shall be permitted at all times within a controlled combustion unit.
- (b) Subject to Section 5(a)(i), open burning of materials shall be permitted except between the 15<sup>th</sup> day of April and the 15<sup>th</sup> day of October in each year without a permit.
- (c) Subject to Section 5(a)(i), between the 15<sup>th</sup> day of April and the 15<sup>th</sup> day of October in each year, no person shall carry out, cause, permit or be responsible for the open burning of material without a permit issued by the Department of Natural Resources.
5. (a) No person shall carry out, cause, permit or be responsible for:
- (i) the open burning of material;
  - (ii) burning of material in a barrel, drum, tank or other container;
  - (iii) burning within a furnace that is used for heating purposes which is

external to the building being heated;

within 30.48 meters or 100 feet of another property owner's building.

- (b) Subsection (a) shall not apply to the burning of charcoal or propane within a barbecue for cooking purposes.
- 6. (a) Any person who carries out, causes, permits or is responsible for the burning of a fire which goes out of control is guilty of an offence.
  - (b) The Court may, in addition to any penalty imposed for this offence order the accused to pay the cost of putting out such fire and the cost shall be charged at the Department of Natural Resources (Nova Scotia) rates, and the sum so ordered by the Court shall constitute a first lien on the property of the accused and shall bear interest at the same rate as taxes and may be collected in the same manner as provided for ordinary rates and taxes under the *Municipal Government Act*, Stats. N.S., 1998 Chapter 18.
- 7. Any person who carries out, causes, permits or is responsible for the burning of a fire shall abide by the provisions of the *Environment Act*, Stats. N.S., 1994-1995, C. 1 and the regulations thereunder.
  - 8. In any prosecution for an offence under this By-law, it is sufficient proof of the offence to establish that it was committed by an employee or agent of the accused, whether or not the employee or agent is identified or has been prosecuted for the offence, unless the accused establishes that the offence was committed without the knowledge or consent of the accused.
  - 9. Where a corporation commits an offence under this By-law, any officer or director of the corporation who directed, authorized, assented to, acquiesce in or participated in the violation of this By-law is guilty of the offence and is liable to the punishment provided for the offence, whether or not the corporation has been prosecuted.
  - 10. Where an offence under this By-law is committed or continued on more than one day, each day shall constitute a separate offence.
  - 11. Anyone who violates the provisions of this By-law shall be liable to a minimum penalty of not less than Two Hundred Dollars (\$200.00) and not exceeding Ten Thousand Dollars (\$10,000.00) and in default in payment thereof to imprisonment for not more than one year or both, including the imposition of a minimum fine.



I, Dwight M. Bennett, C.A.O. and Municipal Clerk-Treasurer of the Municipality of the District of West Rants, do hereby certify that the foregoing is a true copy of the Fire Protection By-law duly passed at a duly called meeting of the Municipal Council of the Municipality of the District of West Rants duly convened and held on the 13 day of May, A.D., 2004 and published in the Rants Herald, a newspaper circulating in the Municipality on the 020 day of June, A.D., 2004.

GIVEN under the hand of the Municipal Clerk and under the corporate seal of the said Municipality this 2 day of June, A.D., 2004.

First Reading: 1 do/

Second Reading: 4 Y of

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DWIGHT M. BENNETT, C.A.O.  
MUNICIPAL CLERK-TREASURER



Committee of the Whole Excerpts  
September 14, 2021

### **PCP Milestone 3**

Milestone 3 of the PCP program requires municipalities to create a local action plan which outline the actions that the Municipality will take to reduce its emissions to meet the goal established in Milestone 2.

**The recommended motion was...**

**...THAT COUNCIL COMPLETE MILESTONE 3 OF THE PCP PROGRAM BY  
SUBMITTING THE REPORT ATTACHED AS APPENDIX A TO THE MCCAP  
COMMITTEE REPORT DATED SEPTEMBER 8, 2021 TO THE PCP PROGRAM.**



## WEST HANTS REGIONAL MUNICIPALITY REPORT

Information <input type="checkbox"/>	Recommendation <input checked="" type="checkbox"/>	Decision Request <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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**To:** Mayor Zebian and Members of West Hants Regional Municipality Council

**Submitted by:** \_\_\_\_\_  
Sara Poirier, Senior Planner

**Date:** September 14, 2021

**Subject:** PCP Milestone 3: Local Action Plan

---

### LEGISLATIVE AUTHORITY

Council Resolution to Join the FCM-ICLEI (Local Governments for Sustainability) Partners for Climate Protection (PCP) Program on September 11, 2018.

### RECOMMENDATION

Should the Committee of the Whole (COTW) wish to complete Milestone 3 of the PCP program, the following motion would be in order:

...that COTW recommends that Council complete Milestone 3 of the PCP program by submitting the report attached as Appendix A to the MCCAP Committee report dated September 8, 2021 to the PCP program.

### BACKGROUND

Property <input type="checkbox"/>	Public Opinion <input type="checkbox"/>	Environment <input checked="" type="checkbox"/>	Social <input type="checkbox"/>	Economic <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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Milestone 3 of the PCP program requires municipalities to create a local action plan which outline the actions that the Municipality will take to reduce its emissions to meet the goal established in Milestone 2.

Jessica Pitman presented the draft actions for the local action plan to the MCCAP Committee on July 27, 2021.

The local action plan outlines 21 planned actions to ensure the Municipality reaches the goal of 45% reduction in both community and corporate emissions by 2030. It also includes 11 wishlist actions which are higher cost, higher reward actions that could be pursued if external funding is obtained. Each action outlines the cost and potential funding source, if available, and identifies the Department responsible for completing the task.

The MCCAP Committee recommended in favour of the local action plan on September 8, 2021.

## **ATTACHMENTS**

**Attachment A**                      2021-09-08 Staff Report to MCCAP: Local Action Plan

## **CHIEF ADMINISTRATIVE OFFICER REVIEW**

The goals and action items listed in the Plan are in alignment with the overall support and direction of the MCCAP Committee and Council. Action items requiring additional resources including consultants and additional staff will have to be reviewed prior to 2022 budget deliberations or prior to grant applications.

I support the recommendation as stated in the report and further support the goals and action items in principal as listed in the plan, pending budget deliberations and a resource review.

Report Reviewed by: \_\_\_\_\_

Madelyn LeMay, Director of Planning and Development

Report Approved by:  \_\_\_\_\_

Mark Phillips, Chief Administrative Officer



WINDSOR / WEST HANTS

**TOGETHER**



# **PCP Milestone 3: Local Action Plan COTW**

September 14, 2021

# Partners for Climate Protection (PCP) Program

- ▶ In September 2018, the former Municipality of the District of West Hants joined the PCP program
- ▶ A five (5) step milestone process that assists municipalities in developing and implementing an action plan to reduce greenhouse gas emissions at the corporate and community level
- ▶ Managed and delivered by the Federation of Canadian Municipalities and International Council for Local Environmental Initiatives

# Partners for Climate Protection (PCP) Program



Milestone	Task	Date Complete
1	Develop a GHG emissions inventory	June 9, 2021
2	Set emissions reduction targets	June 9, 2021
3	Develop a local action plan	-
4	Implement the local action plan	-
5	Monitor progress and report results	-



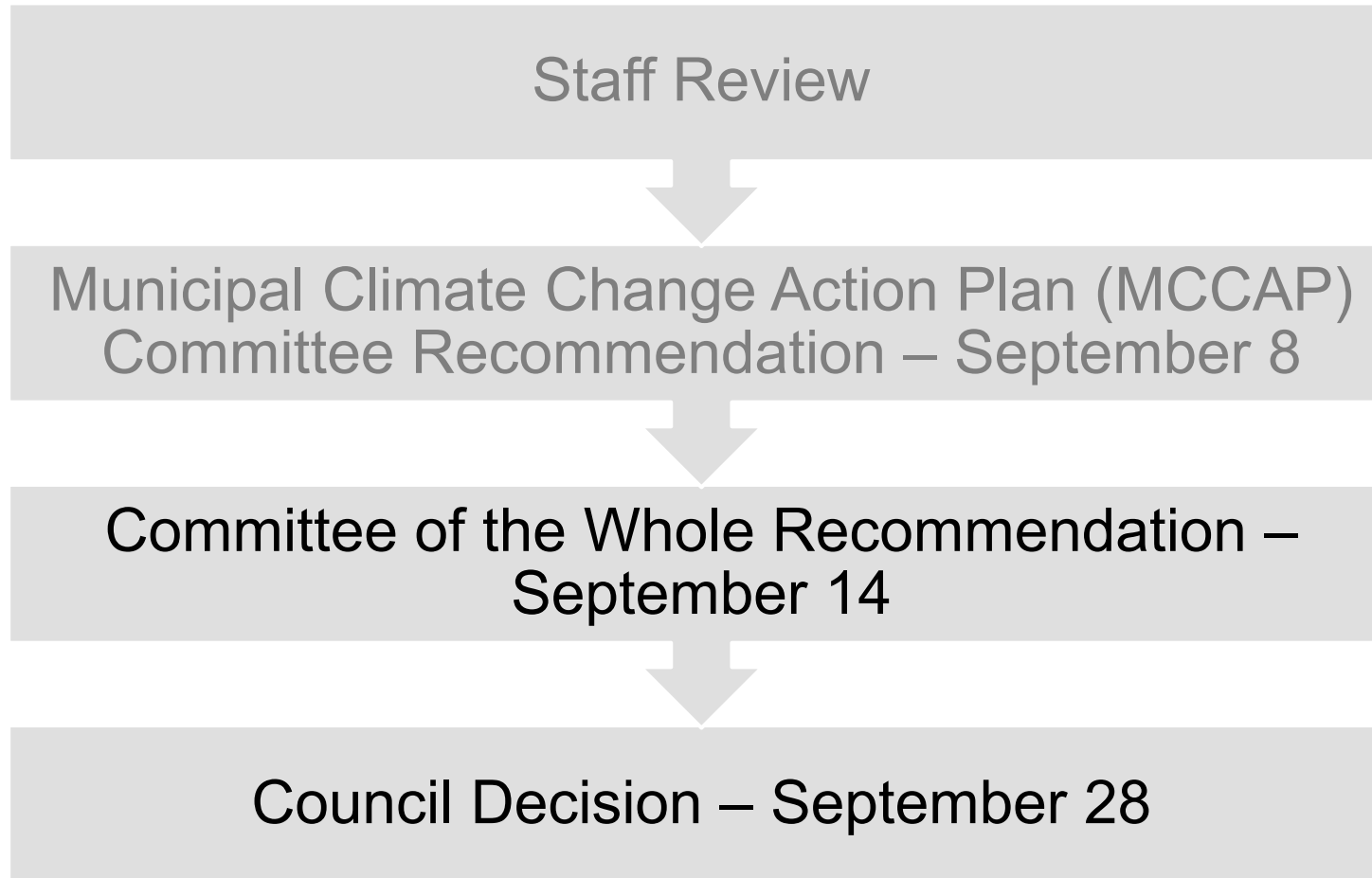
# Milestone 3 – Local Action Plan

- ▶ Developed by Sustainability Planner, Jessica Pitman; 15-week Clean Foundation intern for the summer of 2021
- ▶ To complete Milestone 3 the local action plan must include:
  - ▶ Description of the activities that will help the Municipality achieve the target reductions;
  - ▶ Description of how the public or internal stakeholders participated in developing the plan;
  - ▶ Description of the costs and/or funding sources; and
  - ▶ Names of the municipal department(s) and/or organization(s) responsible for the plan and the actions outlined in it.

# Milestone 3 – Local Action Plan

- ▶ Outlines 21 planned actions which will ensure the Municipality reaches the goal of 45% reduction in both community and corporate emissions by 2030
- ▶ Includes 11 additional wishlist actions which are higher cost, higher reward actions that could be pursued if external funding is obtained
- ▶ Describes the public and staff participation
- ▶ Lists funding sources and Municipal Departments responsible

# Process



# Recommendation

- ▶ ...that COTW recommends that Council complete Milestone 3 of the PCP program by submitting the report attached as Appendix A to the MCCAP Committee report dated September 8, 2021 to the PCP program.





## WEST HANTS REGIONAL MUNICIPALITY REPORT

Information <input checked="" type="checkbox"/>	Recommendation <input type="checkbox"/>	Decision Request <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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**To:** Mayor Zebian and Members of West Hants Regional Municipality Council

**Submitted by:** \_\_\_\_\_  
Sara Poirier, Senior Planner

**Date:** September 28, 2021

**Subject:** Supplementary Report to Council: PCP Milestone 3 Local Action Plan

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### LEGISLATIVE AUTHORITY

Council resolution to join the FCM-ICLEI (Local Governments for Sustainability) Partners for Climate Protection (PCP) Program on September 11, 2018.

### BACKGROUND

Property <input type="checkbox"/>	Public Opinion <input type="checkbox"/>	Environment <input checked="" type="checkbox"/>	Social <input type="checkbox"/>	Economic <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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Staff presented the recommendation from the Municipal Climate Change Action Plan (MCCAP) Committee to Committee of the Whole (COTW) on September 14, 2021. The recommendation related to the local action plan that was developed to meet Milestone 3 of the PCP program.

At the meeting Councillors discussed the specific actions outlined in the action plan related to electric vehicle charging stations and asked staff to investigate the capacity of the Nova Scotia power grid to accommodate electric vehicle charging stations in West Hants Regional Municipality (WHRM), prior to Council approving the submission of the local action plan.

### DISCUSSION

Planner Poirier reached out to Nova Scotia Power Incorporated (NSPI) to discuss the potential for electric vehicle charging stations in WHRM. Two staff members from the NSPI team contacted Planner Poirier with information. Both staff members confirmed that there would be no issue in terms of capacity from a NSPI standpoint with installing

electric vehicle charging stations in WHRM, especially with the limited number that are proposed in our local action plan.

The NSPI representatives explained the three types of chargers available:

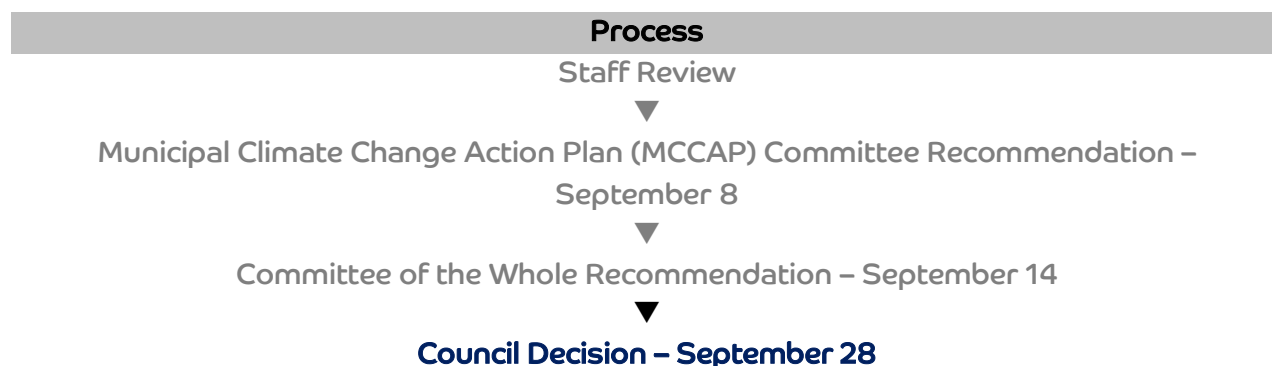
- Level 1 chargers are 120V house outlet trickle chargers that an individual with an electric vehicle would install at home. These chargers can take a full day or longer to give a full charge to an electric vehicle.
- Level 2 chargers are most common. They take about 4-6 hours for a full charge and cost approximately \$3,500-\$5000 each.
- Level 3 chargers are fast chargers. They take approximately 30-45 minutes for an 80% charge and cost approximately \$50,000 each to purchase. They require to be installed in proximity to 3-phase power.

Level 1 and 2 chargers have minimal impact on the power grid. Level 3 chargers are a little more significant in terms of cost and requirements from the NSPI grid, and should only be considered for highly visible locations close to existing servicing.

The NSPI representatives stated that for any project the Municipality should engage NSPI early as they have the corporate knowledge of these systems and will be able to help guide the Municipality with vendor selection considerations (i.e., warranty, on-going/network fees, etc.), site suitability, and other items for consideration such as snow removal, security, lighting, site signage, etc. Overall, NSPI said they would be able to provide support and further information for any potential energy project we are considering (i.e., EV fleet, EV charging stations, solar, wind turbines, etc.) and could present at a future MCCAP or COTW meeting if there are specific questions.

There are currently three (3) electric vehicle charging stations in WHRM as shown on [www.plugshare.com](http://www.plugshare.com) These are located at Pothiers Motors in Falmouth (Level 2), CKF in Hantsport (Level 2) and Glooscap Landing gas station in Hantsport (Level 3).

## NEXT STEPS



## FINANCIAL IMPLICATIONS

There are no financial implications with the filing of this report.

The purchasing of electric vehicle charging stations would need to be budgeted for.

## **ALTERNATIVES**

Council could request further information on a specific topic.

## **ATTACHMENTS**

<b>Attachment A</b>	2021-09-14 MCCAP Recommendation to COTW
<b>Attachment B</b>	2021-09-08 Staff Report to MCCAP: Local Action Plan

## **CHIEF ADMINISTRATIVE OFFICER REVIEW**

I continue to support the recommendation. Further discussions and review will be carried out to determine the resources required to support the plan. Specifically reviewing the need to hire an employee or for utilizing existing staff resources. This review will be carried out leading up to budget deliberations for the 2022 Operating Budget.

Report Prepared by: \_\_\_\_\_  
Sara Poirier, Senior Planner

Report Reviewed by: \_\_\_\_\_  
Madelyn LeMay, Director of Planning and Development

Report Approved by:  \_\_\_\_\_  
Mark Phillips, Chief Administrative Officer





Committee of the Whole Excerpts  
September 14, 2021

### **TEMPORARY OPENING OF UNDERWOOD & EDWARD**

At the July 12, 2021 COTW meeting, direction was given to staff to bring forth a report to the September 14, 2021 COTW meeting regarding the temporary opening of the emergency gate between Edward Dr. and Underwood Dr. until a permanent road is constructed and opened between the area of the Crossing and Tregothic Heights, Payzant Dr. area.

**The recommended motion was...**

**... THAT COUNCIL PROCEED WITH THE APPROVAL OF THE ATTACHED POLICY WITH THE CONDITION THAT THE GATE REMAIN IN PLACE UNTIL THE TRAFFIC AUTHORITY PRESENTS A REPORT TO COUNCIL ADDRESSING TRAFFIC CONCERNS, PEDESTRIAN CONCERNS AND INFRASTRUCTURE UPGRADES AND ANYTHING ELSE THAT MAY PERTAIN IN A REPORT TO BE RETURNED TO COUNCIL AT THE NOVEMBER COTW MEETING.**



## WEST HANTS REGIONAL MUNICIPALITY REPORT

Information X	Recommendation <input type="checkbox"/>	Decision Request <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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**To:** Committee of the Whole

**Submitted by:** \_\_\_\_\_  
Troy Burgess, Traffic Authority

**Date:** September 14, 2021

**Subject:** Temporary Opening of Edward Dr and Underwood Dr

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### LEGISLATIVE AUTHORITY

Municipal Government Act

### RECOMMENDATION or DECISION REQUEST

Information to Council

### BACKGROUND

Property X	Public Opinion <input type="checkbox"/>	Environment <input type="checkbox"/>	Social X	Economic <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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During the July 13, 2021, Committee of the Whole, direction was given to Staff to bring a report to the Sept 14, 2021, Committee of the Whole regarding the temporary opening of the emergency gate between Edward Dr and Underwood drive until a permanent road is constructed and opened between the area of The Crossing and Tregothic Heights, Payzant Dr area.

### DISCUSSION

After Staff reviewed the process, solicitor advice was sought with the following opinion being provided. "Because a portion of Underwood Drive was formally closed under section 315 of the MGA that section would need to be re-opened to allow public passage over the lands as a "street". This can be accomplished under S. 315(6) of the MGA which states:

*(6) Upon filing the policy in the registry, all rights of public user in the land described in the policy are forever extinguished and the municipality may sell and convey the land or may subsequently reopen the land as a street in the manner required by this Act. 1998, c. 18, s. 315; 2004, c. 44, s. 4; O.I.C. 2007-553; O.I.C. 2021- 56.*

The currently closed portion of Underwood Drive would need to be re-opened by Council under s. 312 of the MGA. The MGA is silent on the process for opening a street but given that the street was closed by Policy of the former Town a Policy to re-open the street would be appropriate. We could essentially reverse the closure policy and use it and the same plan of survey (required under s. 312(2)) to facilitate the re-opening.

A draft policy is attached for Council's consideration. While s. 315 mandates a public hearing for the closing of a street there are no such requirements established for re-opening a street. Instead, the act merely states that the street can be re-opened in a manner required under the Act. The only requirements are a designation of the area as a street by council and the filing of a plan of survey in the Land Registration Office under s. 312(2).

If Council decides to re-open this portion of Underwood Drive, they can also determine whether it will have free passage of traffic or remained gated. Section 322 does allow the Engineer to temporarily close a street "for any purpose beneficial to the public interest." If a new connector road was completed and the Municipality decided to close the Underwood/Edward connection (but not to formally close the street as the Town previously did) this section of the MGA could be used in support of closing the gate between these streets."

## **NEXT STEPS**

Council could decide to formally re-open by policy the portion of Underwood Drive that is now closed by following the procedure recommended by Legal.

Consideration should be given to the following:

On September 9, PAC/HAC considered a report regarding required amendments to the Civic Addressing By-law (Attachment). It is anticipated that PAC/HAC will make a recommendation regarding the amendments to the Civic Addressing By-law which will be considered by Council September 28, 2021. Should Council remove the gate between underwood and Edward, Council will be requested to provide a common name for the entire length of the street.

The Development Agreement for 'The Crossing' would need to be reviewed to determine whether revisions are needed.

The area near the emergency gate would need to be widened a minimum of four feet in order to allow two-way traffic and align the two streets. This would include removing trees and the fence.

The street and sidewalk infrastructure would be recommended to be updated / improved on Underwood Drive.

The 2021 WSP Windsor Intersection Infrastructure Needs Assessment should be taken into consideration as the traffic warrants indicates a traffic circle is recommended at

Payzant Dr and Wentworth Rd along with other recommendations. Currently as part of the approved 2021/22 budget an RFP has been sent out for detailed design for intersection improvements (traffic circle) at this location.

### **FINANCIAL IMPLICATIONS**

- \$7500 split 50/50 from the West Hants Road and Windsor Roads budgets, before opening to traffic.
- Asphalt approximately \$5000 widening street at the connection point.
- Removal of tree, fence and minor civil work approximately \$2500.
- Recommended capital work in the future. Amount undetermined to date.

### **ALTERNATIVES**

Council could decide to do nothing, leave status quo. Background info is as follows;

- 2019 the complete RCMP fleet were given gate keys,
- 2019 Brooklyn Fire, Windsor Fire and Hantsport Fire were given the appropriate number of keys as requested by each. WRHM Public Works Staff all have keys.
- Fall of 2020 the gate was opened during the re-paving project on Underwood Road for the duration of the project.
- During the winter of 2020/21 the gate was opened for snow removal and ice control several times. Note: if the gate wasn't closed immediately many complains were received from The Crossing.

### **ATTACHMENTS**

- Draft Policy to Re-open a Portion of Underwood Drive
- WHRM Civic Addressing By-Law Amendment (PAC Sept 9, 2021)
- Windsor Intersection Infrastructure Needs Assessment (WSP 2021)

### **CHIEF ADMINISTRATIVE OFFICER REVIEW**

Due to the historic effort that was dedicated to the street closure in this section a permanent change does warrant appropriate policy reflection and change if Council wishes. Generally, I support the connectivity of the two residential areas through the public streets for safety reasons, ease of traffic flow and to connect residential areas that now fall under the Regional Municipality versus separate municipalities.

I recommend Council carryout the action items listed in the "Next Steps" section of the report. Further, I recommend the approval of the draft policy attached to the report as provided by the Traffic Authority recognizing a gate can remain in place if so desired or until the noted action items are carried out.

Report Prepared by: \_\_\_\_\_  
Troy Burgess, Manager, Public Works Operations, & Traffic Authority

Report Approved by:   
Mark Phillips, Chief Administrative Officer

# West Hants Regional Municipality

## A Policy to Re-open a Portion of Underwood Drive

Policy #:

Approval Date:

Revision Date:

### **Authority**

This policy is made by Council under the authority of sections 312 and 315 of the *Municipal Government Act*, SNS 1998, c-18.

### **Purpose**

The purpose of this policy is to re-open as a public street that portion of Underwood Drive identified in the plan of survey prepared by Blake Beaton, NSLS 626 and dated August 31, 2015, a copy of which is attached to this policy.

### **Definitions**

“Act” means the *Municipal Government Act*, SNS, 1998, c-18,

“Council” means the Municipal Council for the West Hants Regional Municipality,

### **Policy Statement**

1. Council hereby re-opens as a public street all that portion of Underwood Drive as depicted in a plan of survey prepared by Blake Beaton, NSLS 626 and dated August 31, 2015. That portion of Underwood Drive that is being re-opened is more particularly described and identified as follows:

**ALL AND SINGULAR** that certain area of land intended for street closure situated, lying and being at Underwood Drive in the County of West Hants, Province of Nova Scotia, said lands being shown on Plan 15-2464-15B, prepared by Strum Consulting Ltd., dated the 31st of August 2015, being more particularly described as follows:

**PREMISING** that directions are quadrant bearings, derived from GPS observations referenced to the Nova Scotia Coordinate Survey System and are referred to Central Meridian, 64 degrees 30 minutes West (Zone 5).

**BEGINNING** at a survey marker being North 42 degrees 39 minutes 45 seconds East a distance of 1013.998 metres from Nova Scotia Coordinate Monument No. 208629. The same point being the northeastern corner of Lot 27A, said Survey Marker being the **POINT OF BEGINNING**.

**THENCE** South 82 degrees 03 minutes 11 seconds West a distance of 2.339 metres along the north boundary of Lot 27A to a point;

**THENCE** North 23 degrees 18 minutes 22 seconds East a distance of 23.532 to a point on the southern boundary of Lot 21A-3;

**THENCE** North 82 degrees 03 minutes 11 seconds East a distance of 2.339 metres along the Southern boundary of Lot 21A-3 to a Survey Marker at the southeast corner of Lot 21A-3 and the western boundary of Lot A-A;

**THENCE** South 23 degrees 18 minutes 22 seconds West a distance of 23.532 metres along the western boundary of Lot A-A to a Survey Marker. Said survey marker being the **POINT OF BEGINNING**.

**SAID LANDS CONTAINING** and area of 47.05 Square Metres.

**BEING AND INTENDED** a portion of Parcel UD-1 to be lands conveyed to the Town of Windsor, Book 559 Page 631.

2. Pursuant to sections 312 and 315 of the Act, this Policy was passed at a duly called meeting of Council and following the delivery of this Policy to the Minister of Transportation and Infrastructure Renewal.

Approved by Council on this \_\_\_\_ day of September, 2021

\_\_\_\_\_  
Abraham Zebian, Mayor

\_\_\_\_\_  
Mark Phillips, CAO

### **Certificate**

I, Mark Phillips, CAO hereby certify that the preceding Policy was passed at a duly called meeting of the Council of the Town of Windsor held on September \_\_\_\_, 2021.

\_\_\_\_\_  
Mark Phillips, CAO

Dated \_\_\_\_\_, 2021



## **WEST HANTS REGIONAL MUNICIPALITY RECOMMENDATION REPORT**

**To:** Members of Planning Advisory Committee/Heritage Advisory Committee (PAC/HAC)

**Submitted by:** \_\_\_\_\_  
Madelyn LeMay, Director, Planning and Development

**Date:** September 9, 2021

**Subject:** Civic Addressing By-law Amendment  
File # 21-16

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### **1.0 LEGISLATIVE AUTHORITY**

Municipal Government Act (MGA) s.313

### **2.0 RECOMMENDATION**

If PAC/HAC wishes to forward a positive recommendation the following motion would be in order:

PAC/HAC recommends that Council give First Reading and proceed to a Public Hearing to amend the Civic Addressing By-law, RC-001, by adding a new clause to allow Council to change a road name without support of those owning lots on the street, in a manner substantively the same as that included as Attachment A to the report entitled *Civic Addressing By-law Amendment* dated September 9, 2021.

### **3.0 BACKGROUND**

West Hants Regional Municipality approved a Civic Addressing By-law on November 24, 2020. Since then it has come to the attention of staff that the only way to rename a road is by the Civic Addressing Coordinator receiving a



petition signed by the owners of seventy-five percent (75%) of the lots with frontage on the road.

#### 4.0 DISCUSSION

The 2020 By-law works well when a road is named or when a name change is wanted by those who own property on the street. However, within the 2020 By-law there is no opportunity for Council itself to change a road name should it become necessary for reasons of safety and/or to meet the requirements of the Nova Scotia Civic Address File (NSCAF) system.

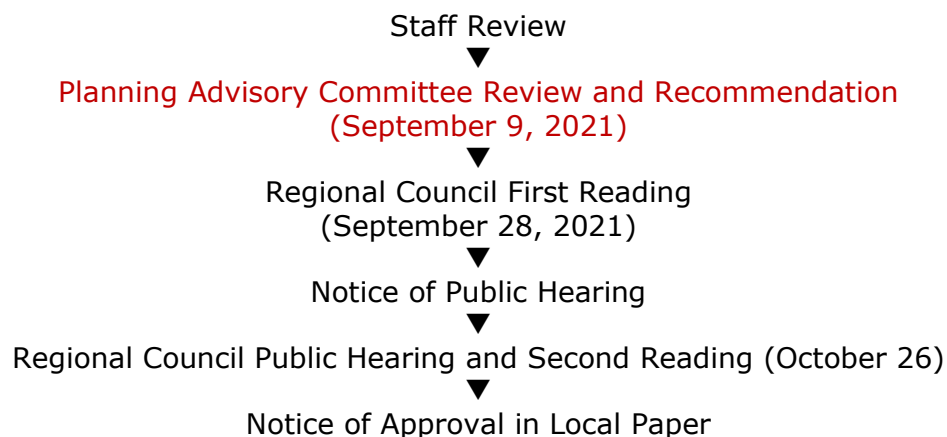
As a result, staff are recommending that Council amend the Civic Addressing By-law (Attachment A) by adding the following clause:

**6.2.1** *When a road owned by West Hants Regional Municipality should be named or a name changed in order to comply with or reflect the criteria used by the Nova Scotia Civic Address File (NSCAF) to ensure safety of residents, WHRM Council may direct the Civic Addressing Coordinator to change the road name to a specific road name determined by Council and reviewed by the Civic Addressing Coordinator to ensure it complies with the requirements of Section 6.3, Road Naming Evaluation Criteria, without public consultation. Notice to those affected must be provided a minimum of sixty (60) days prior to the name being changed in the Civic Address File.*

When a road is being named or the name changed because of safety concerns, no opportunity for those who own property on the road to object to Council should be provided. NSCAF requirements need to prevail to ensure emergency services can reach and find residents.

#### 5.0 NEXT STEPS

The following process is required for amendment of the By-law:



▼  
Notice of Approval to Municipal Affairs and Housing

**6.0 FINANCIAL IMPLICATIONS**

There are no financial implications for the Region associated with amending the existing By-law.

**7.0 ALTERNATIVES**

Should PAC/HAC not wish to recommend this amendment to Council, PAC/HAC may:

- recommend specific amendments to the proposed draft;
- provide alternative direction, such as requesting further information on a specific topic.

**8.0 ATTACHMENTS**

Attachment A	Region of West Hants Civic Addressing By-law, RC-001, with proposed amendments
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Report Prepared by: \_\_\_\_\_

Madelyn LeMay, Director, Planning and Development

and

\_\_\_\_\_  
Tracy Babineau, Civic Addressing Coordinator

Civic Addressing Bylaw

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**Proposed Changes Shown in RED**

**1.0** This By-law is made pursuant to the Municipal Government Act, RSNS 1998, as amended from time-to-time and hereinafter referred to as the "Act" and shall be known and may be cited as the Civic Addressing By-law.

**2.0 DEFINITIONS**

In this By-law:

- (a) "building" means any structure used, or intended to be used, to support or shelter any use or occupancy, and includes an incomplete building once the footings have been constructed, but does not include a structure accessory to another structure on the same lot or a structure which, if it were now being built for the first time, would not require a Building Permit to authorize its construction;
- (b) "civic address" means the combination of an assigned civic number, the road name and the community;
- (c) "Civic Address File" means the database maintained by the Region containing geographically referenced civic address information including civic points, street network files, and community boundaries;
- (d) "Civic Addressing Coordinator" means the person who administers this By-law;
- (e) "civic number" means the number assigned to a lot or building by the Civic Addressing Coordinator in accordance with this By-law;
- (f) "community" means a geographic area contained within the Region of Windsor and West Hants;
- (g) "owner" has the same meaning as the owner of property in the Municipal Government Act or successor legislation from time to time;
- (h) "private road" means any street, road, lane, bridge or other thoroughfare accessible to motor vehicles which is not a public road defined in clause 2.0 (k) and which serves as a principal vehicular access to three or more dwelling units;

*CIVIC ADDRESSING BY-LAW*

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- (i) “property” means a lot of land;
- (j) “public road” means a road or highway owned and maintained by the Region or the Province of Nova Scotia;
- (k) “Region” or “West Hants Regional Municipality” means the Municipality incorporated by the Region of Windsor and West Hants Act, SNS 2018, c.26 irrespective of whether it has had its name changed by virtue of Section 11 of that Act or otherwise;
- (l) “road name” means the official name of a street, road, or highway as it appears in the Civic Address File.

### **3.0 DUTIES of CIVIC ADDRESSING COORDINATOR**

The Civic Addressing Coordinator shall be responsible for:

- (a) assigning or re-assigning civic numbers to lots or buildings and the keeping of the Civic Address File;
- (b) reviewing and approving all proposed road names for new public and private roads created through the subdivision approval process;
- (c) reviewing and approving all proposed road names for existing unnamed roads; and
- (d) reviewing and recommending to Regional Council the acceptance or rejection of proposed road names submitted through the application process for changing an existing Provincial or Regional road name.

### **4.0 CIVIC NUMBERS**

#### **4.1 Existing Civic Numbers**

A civic number that is recorded in the Civic Address File for a lot or building on the date of the first reading of this By-law is hereby assigned to that lot or building until such time as the Civic Addressing Coordinator, by written notice to an owner, directs otherwise.

*CIVIC ADDRESSING BY-LAW*

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**4.2 Assignment of Civic Numbers**

4.2.1 The Civic Addressing Coordinator may assign civic numbers to:

- (a) buildings that have permanent or temporary occupancy or use; and
- (b) vacant lots or developed sites and in the assignment of a number shall take into consideration the public use thereof which may require emergency services, such as parks, playgrounds and trails where public activity will occur.

4.2.2 The Civic Addressing Coordinator may assign more than one civic number to a lot or building.

4.2.3 The Civic Addressing Coordinator shall assign new civic numbers using a spatial formatting system which has all roads divided into intervals and numbers are assigned depending upon where the driveway intersects the road.

4.2.4 The Civic Addressing Coordinator may assign a new civic number with a spatial formatting system based on the surrounding civic numbers where an existing civic number prevents the use of the usual spatial formatting system.

4.2.5 The Civic Addressing Coordinator shall assign a new civic number where:

- (a) a building permit has been issued; or
- (b) there is no building permit issued, once a site inspection has been done by the Building Inspector or Civic Addressing Coordinator to confirm whether a civic number is required.

**4.3 Deletion of Civic Numbers**

Deletion of civic numbers shall be at the discretion of the Civic Addressing Coordinator.

**4.4 Refusal of Civic Number**

The Civic Addressing Coordinator shall not issue a civic number if they are made aware of an outstanding order against the property under the National Building Code, Fire Safety Act, or the Municipal Government Act.

*CIVIC ADDRESSING BY-LAW*

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**4.5 Change and Reassignment of Existing Civic Numbers**

- (a) The Civic Addressing Coordinator may, by sixty (60) days written notice to an owner, change or reassign civic numbers where necessary to avoid potentially confusing numbering irregularities and to assure an adequate supply of civic numbers for existing and future development.
- (b) The Region shall not be liable for any costs or damages whatsoever that may be incurred by an owner related to the reassignment of a civic number.

**5.0 POSTING of CIVIC NUMBERS****5.1 Civic Number Specifications**

The owner of a property for which a civic number is issued shall keep the assigned civic number posted on the lot or building in the following manner:

- (a) civic numbers shall be in Arabic numerals;
- (b) the numerals shall be right side up;
- (c) the colour of the numerals shall clearly contrast with the background upon which the numbers are displayed;
- (d) civic numbers shall either be composed of highly reflective material or be effectively illuminated during the hours of darkness;
- (e) the bottom of the numbers shall be a minimum of 90 centimeters (36 inches) above grade;
- (f) the height of the numerals shall not be less than 65 millimeters (2.5 inches);
- (g) civic numbers shall be posted within 6 meters (20 feet) of the closest edge of the traveled portion of the public road or private road which forms part of the civic address for the lot or building;

*CIVIC ADDRESSING BY-LAW*

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- (h) the civic number shall be posted on the building or on a gatepost, signpost, or other structure on the lot on which the building is situated, excluding a utility pole for electrical, telephone, or other utility service;
- (i) civic numbers shall face towards the public road or private road upon which the lot or building is situated and which forms part of the civic address for the lot or building, except that double-sided signage may be used, in which event the civic number shall be on both sides of the sign and perpendicular to the public road or private road;
- (j) civic numbers shall be posted in a location which is not obstructed from view when viewed from the closest place on the traveled portion of the public or private road upon which the lot or building is situated or from which it has access and from all points at least 10 meters (33 feet) in either direction from that place, except that an intervening tree trunk or a vertical pole or post shall not alone be considered an obstruction for purposes of this subsection; and
- (k) no person shall post or permit to be posted a number that could be reasonably confused with a civic number as determined by the Civic Addressing Coordinator.

**5.2 Occupancy Permit**

An occupancy permit shall not be issued for a property unless a civic number is posted on that property.

**6.0 ROAD NAMING****6.1 Application Process for Naming New Roads Created Through Subdivision Approval**

- (a) The applicant shall complete the "Application to Name a Road" form and submit it to the Civic Addressing Coordinator;
- (b) The Civic Addressing Coordinator shall review the application;
- (c) If the road name does not meet the evaluation criteria, the Civic Addressing Coordinator shall advise the applicant and provide an explanation for the rejection;

*CIVIC ADDRESSING BY-LAW*

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- (d) If the road name meets the evaluation criteria, the Civic Addressing Coordinator shall approve the name;
- (e) Within one week of notification of final approval of the plan of subdivision, the Civic Addressing Coordinator shall notify the appropriate agencies. Once the road is constructed the Civic Addressing Coordinator shall record the location of the road in the Civic Address File;
- (f) If a subdivision plan creating a new road is repealed, all agencies notified of the new road name(s) shall be notified of the repeal; and
- (g) The Civic Addressing Coordinator shall contact all property owners on the road(s) to inform them of the name of the new road(s).

## **6.2 Application Process for Naming an Existing Unnamed Road or Changing an Existing Road Name**

**6.2.1** When a road owned by West Hants Regional Municipality should be named or a name changed in order to comply with or reflect the criteria used by the Nova Scotia Civic Address File (NSCAF) to ensure safety of residents, WHRM Council may direct the Civic Addressing Coordinator to change the road name to a specific road name determined by Council and reviewed by the Civic Addressing Coordinator to ensure it complies with the requirements of Section 6.3, *Road Naming Evaluation Criteria*, without public consultation. Notice to those affected must be provided a minimum of sixty (60) days prior to the name being changed in the Civic Address File.

**6.2.2** When individuals wish to have an unnamed road named, or a name changed, the following process must be followed:

- (a) Application shall be made by completing the "Application to Name a Road" form and submitting it to the Civic Addressing Coordinator. The application shall be accompanied by a petition signed by the owners of seventy-five percent (75%) of the lots with frontage on the road;
- (b) The Civic Addressing Coordinator shall review the application;
- (c) If the road name does not meet the evaluation criteria, the Civic Addressing Coordinator shall advise the applicant and provide an explanation for the rejection;



*CIVIC ADDRESSING BY-LAW*

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- (d) If the application meets the evaluation criteria, the Civic Addressing Coordinator shall:
    - (i) seek approval from the authority having jurisdiction over the road, if applicable, and approve the name; or
    - (ii) seek approval from Council when an existing Provincial or Regional Road name is to be changed.
  - (e) Within one week of the approval of the new road name, the Civic Addressing Coordinator shall record the new name in the Civic Address File and notify the appropriate agencies; and
  - (f) The Civic Addressing Coordinator shall contact all owners of property on the road to inform of the new road name. If a subdivision plan creating a new road is repealed, all agencies notified of the new road name(s) shall be notified of the repeal.

**6.3 Road Naming Evaluation Criteria**

- (a) The name must be easy to pronounce and spell and have recognizable words or an acceptable combination of words;
- (b) Consideration must be given to the long-standing local usage of the name by the local public;
- (c) Road names must be in good taste;
- (d) Qualifying words (such as Upper, Lower, New, Old, etc.) should be avoided, but may be accepted in cases where the qualifier has been applied in an official context (e.g., as found in the Nova Scotia Gazetteer);
- (e) All names must have an associated road type and the road type must be checked against a standard list before the submitted name can be accepted;
- (f) Road names must be alphanumeric (e.g. First Street); name submissions using a numeral (e.g. 1<sup>st</sup> Street) shall be rejected;
- (g) Where a new road is a continuation of an existing road, wherever possible the new road shall be given the same name as the existing road;

*CIVIC ADDRESSING BY-LAW*

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- (h) There must be no duplication of road names within the Region and, if possible, duplication of road names used in immediately adjoining municipal units shall be avoided;
- (i) All road name submissions must be checked against the alias field in the road names database both for the community in question and its adjacent communities. If the suggested name appears as an alias, it must be rejected;
- (j) There should be no like-sounding names within the Region;

*CIVIC ADDRESSING BY-LAW*

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- (k) Official road names, including road type, must have no more than 35 characters (including special characters and spaces);
- (l) If the road is named after a topographic feature, the name must reflect the official name found in the Nova Scotia Gazetteer;
- (m) A personal name (given name and surname) should not be applied to a road unless such application is in the public interest. The person commemorated should have contributed significantly to the area where the road is located. The adoption of a personal name during the lifetime of the person concerned should only be made in exceptional circumstances and with the person's written consent;
- (n) No formal titles of distinction may be associated with the personal name (e.g., Captain, Major);
- (o) Company or commercial product names, as well as names associated with copyright or trademarks, shall be avoided;
- (p) The spelling and accenting of names must agree with the rules of the language in which they are written; and
- (q) Changes to established existing road names shall be discouraged unless there are recognized difficulties with the existing name.

**7.0 POSTING ROAD SIGNS****7.1 Public Road Signs**

Identification of provincially or municipally owned public roads is the responsibility of the respective jurisdiction.

**7.2 Private Road Signs**

The owners of a private road shall ensure that a road sign is erected and maintained according to specifications outlined in this Civic Addressing By-law.

**7.3 Posting Private Road Signs through the Nova Scotia Department of Transportation (DTIR)**

*CIVIC ADDRESSING BY-LAW*

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- 7.3.1 Private roads which intersect with public roads shall be identified only by an approved road name sign.
- 7.3.2 Private roads which intersect with public roads and are not already identified by an approved road name sign shall be provided with a road name sign upon the written request of one or more residents of the road subject to the following criteria:
- (a) prior to approval of a sign by the Civic Addressing Coordinator the applicant(s) has paid to the Region one hundred percent (100%) of the fees charged by DTIR for such purchase; and
  - (b) the name of the road is to be that designated by the Civic Addressing Coordinator; and
  - (c) the administrative process developed by the Region from time-to-time shall be followed for the erection of private road signs.
- 7.3.3 When a private road sign requires repair, removal or replacement, costs shall be determined by DTIR and borne by the applicant.

**7.4 Posting Private Road Signs by Applicant**

- 7.4.1 The applicant shall erect, maintain in good condition and replace as necessary, a sign and signpost at the intersection of the private road and the public street in a manner consistent with any conditions attached to such permission and other lawful requirements; and
- 7.4.2 The residents of a private road shall apply for and obtain permission to erect an identifying sign and a signpost from any person or regulatory authority whose permission is required by law to erect an identifying sign and a signpost, subject to the following requirements:
- (a) the cost of fabrication and installation of such sign shall be the responsibility of the residents;
  - (b) it will be the residents' responsibility to install, maintain in good condition and replace as necessary the sign and signpost;

*CIVIC ADDRESSING BY-LAW*

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- (c) the name of the road is to be that designated by the Civic Addressing Coordinator;
- (d) to the extent possible, the signpost is to be located in an unobstructed line of sight for vehicles approaching the private road from either direction along the intersecting public street, and is to be set back a minimum of 1.5 meters (5 feet) from the outside edge of the travel lane of the intersecting public road;
- (e) double-sided signage placed perpendicular to the intersecting road shall be used so that the name of the road is visible for vehicles approaching the private road from either direction;
- (f) lettering of the private road name shall be 100 millimeters (4 inches) in height and in uppercase letters;
- (g) the sign shall be painted with reflective paint with lettering in black against a white background;
- (h) the bottom of the sign shall be between 1.5 meters (5 feet) and 2.5 meters (8 feet) above the road grade of the intersecting public road; and
- (i) the signpost shall be made of pressure-treated lumber with cross-sectional dimensions not less than 85 millimeters (3.3 inches) by 85 millimeters (3.3 inches), or rigid non-ferrous metal, and sufficiently fastened to the ground to hold the sign rigidly in place and to prevent turning of the sign.

## **8.0 COMPLIANCE**

### **8.1 Special Conditions**

8.1.1 Upon application by an owner, the Civic Addressing Coordinator may provide written authorization for signage for civic numbers or road names to vary from the standards contained in this By-law, with or without conditions, when:

- (a) compliance with the standards is not reasonably possible, due to the physical features of the site or other matters; or

*CIVIC ADDRESSING BY-LAW*

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- (b) compliance with this By-law would not effectively meet the objectives of this By-law as an alternative approach.

8.1.2 The Civic Addressing Coordinator may revoke or vary an authorization under this section. Owners shall comply with any conditions contained within authorizations granted under this section.

## **9.0 VIOLATIONS**

**9.1** It shall be an offence for a person to refuse or fail to comply with a written notice issued by the Civic Addressing Coordinator to an owner which assigns, reassigns, or deletes a civic number of a lot or building.

**9.2** Any person who violates any provision of this By-law shall be liable on summary conviction to a penalty of not less than \$200.00 and not more than \$5,000.00, and in default of payment to imprisonment for a period of not more than 90 days.

**9.3** In the event of contravention of this By-law, the Region may:

- (a) prepare and serve a notice in writing to an owner to undertake work including, but not limited to, the posting or re-posting of a civic number on a building or lot, the erection or re-erection of signage for a private road, or the removal of a civic number or signage for a private road;
- (b) in the event that:
  - (i) required remedial work regarding a road sign has not been completed within thirty (30) days; or
  - (ii) required remedial work regarding a civic number has not been completed within fourteen (14) days,

of the date of service of the notice, enter upon the property of the owner and undertake the work, and the cost of the work with interest at the same rate as taxes from the date of completion until the date of payment, shall be a first lien on the property upon which, or for the benefit of which, the work was done.

**9.4** The notice required to be served pursuant to this By-law may be served:

- (a) in person;
- (b) by regular mail to the address shown on the Assessment Roll;
- (c) by electronic mail; or
- (d) by facsimile.

A notice is deemed to have been served on the seventh (7<sup>th</sup>) day after it was sent.

## 10.0 REPEAL

- 10.1** The Town of Windsor Civic Addressing By-law dated November 19, 2019 and the Municipality of the District of West Hants Civic Addressing By-law , C-003, dated November 27, 2018 are hereby repealed.

I, Rhonda Brown, Municipal Clerk, of the West Hants Regional Municipality, the Province of Nova Scotia, do hereby certify that this is a true copy of the By-law as adopted by the Council of the West Hants Regional Municipality at a meeting duly called and held on the **24<sup>th</sup>** day of **November, 2020**.



R. N. Brown  
Municipal Clerk

By-law Adoption	
First Reading:	September 22, 2020
Notice Published:	November 3, 2020
Second Reading & Approval	November 24, 2020
Final Publication	December 1, 2020
Notice to Municipal Affairs	December 1, 2020
Description: Initial approval of the Civic Addressing By-law, RC-001, which includes the repeal of previous Civic Addressing By-laws of the former Town of Hantsport and Municipality of the District of West Hants.	

# WINDSOR INTERSECTION INFRASTRUCTURE NEEDS ASSESSMENT



PREPARED FOR:  
WEST HANTS REGIONAL MUNICIPALITY

SEPTEMBER 2021

Project No. 201-11983





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## APPENDICES

- A** TRAFFIC VOLUME DATA
- B** WARRANT ANALYSIS
- C** INTERSECTION PERFORMANCE ANALYSIS

# 1 INTRODUCTION

## Background

Plans are currently being prepared for modifications to the regional transportation network in Windsor, Nova Scotia. The Nova Scotia Department of Transportation and Active Transit (NSTAT) is considering re-aligning the Highway 101 Eastbound Exit 5A Ramp at Industrial Drive. With the realignment of the Exit 5A Ramp, the Hants County Exhibition entrance will be required to be relocated along Wentworth Road. Since the main access to the Hants County Exhibition will be relocated, the Windsor Agricultural Society is planning to expand the site to accommodate additional commercial development and a new access location on Wentworth Road. Among the future changes to the road network, the West Hants Regional Municipality (WHRM) is also considering extending Payzant Drive to the west to connect with Centennial Drive. WSP Canada Inc. was retained to complete a Traffic Impact Study (TIS) for the proposed Exhibition Expansion with respect to several future road network scenarios, which followed the March 31<sup>st</sup>, 2021 Scoping Document reviewed by NSTAT.

In addition to the changes resulting from the realignment if the Highway 101 Eastbound Exit 5A Ramp and the Hants County Exhibition Expansion, the WHRM is considering an extension of Payzant Drive to the east to connect with King Street.

The potential changes to the road network will have an impact on traffic volumes on Wentworth Road and King Street. WSP Canada Inc. has been retained to assess the impact of these changes at a series of key intersections and provide recommendations to mitigate the infrastructure impacts of the changes to the regional transportation system. A summary of the potential changes to the transportation network is provided in Figure 1.

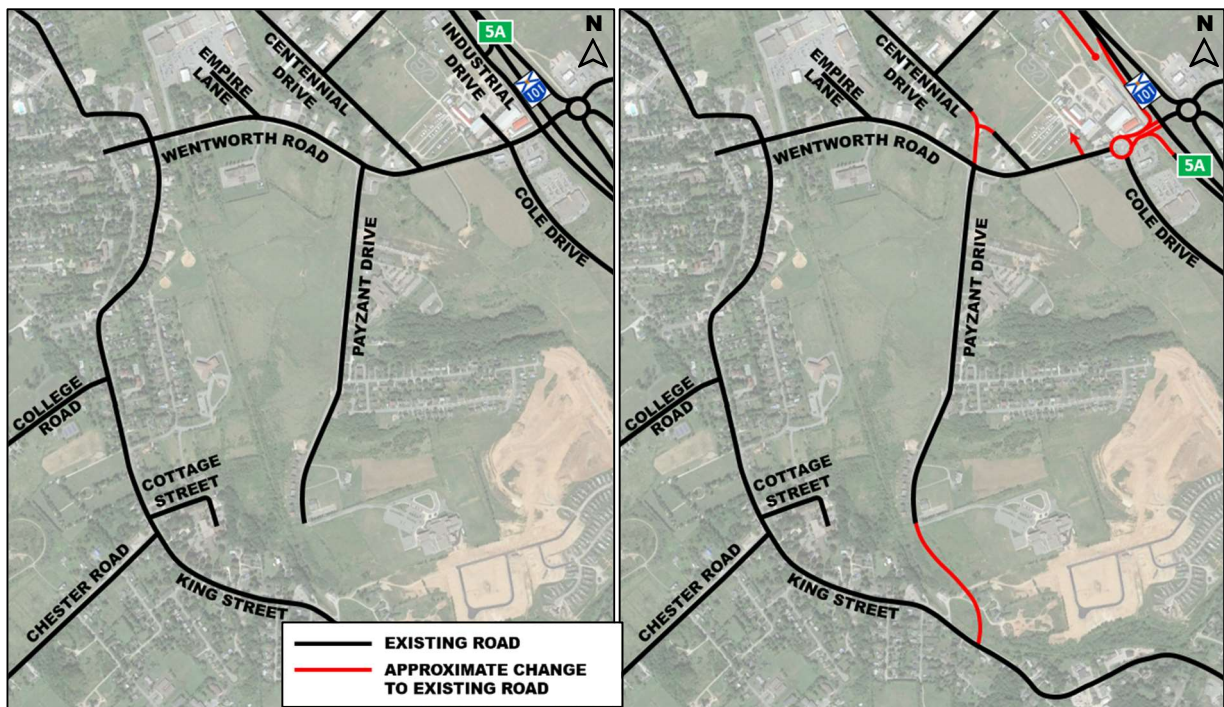


Figure 1 – Summary of Potential Changes to the Road Network

## Study Objectives

1. Establishing existing traffic conditions in the Study Area with input from the studied traffic volume changes at the Hants County Exhibition;
2. Determining the future growth based on municipality approach and future developments;
3. Preparing the Design Hourly Volumes for analysis;
4. Completing warrant analyses and operational analyses at the Study Intersections for existing and future growth scenarios;
5. Determining improvements to the Study Intersections to mitigate future growth and traffic volume redistribution; and,
6. Preparing intersection concept drawings with planning level cost estimates for implementation.

## Descriptions of Major Study Area Roads

**Wentworth Road** is an arterial roadway, generally aligned north-south for the purposes of this study. Wentworth Road provides a key link between the Town of Windsor and Highway 101. Wentworth Road generally consists of one lane in each direction with an alternating left-turning lane and concrete sidewalk on both sides. The posted speed limit is 50 km/h.

**King Street** is an arterial roadway, generally aligned north-south for the purposes of this study. King Street provides a major link between the Avon River in Downtown Windsor and the Curry's Corner / Garlands Crossing neighbourhoods. In the Study Area, King Street generally consists of one lane in each direction and has an asphalt sidewalk on the north side of the street. The posted speed limit is 50 km/h.

**Payzant Drive** is a collector roadway, generally aligned east-west for the purposes of this study, that runs approximately 1.4 kms between Wentworth Road and the Avon View High School. Payzant Drive is the only road access the Avon View High School and the Hants Community Hospital. Payzant Drive generally consists of one lane in each direction and the posted speed limit is 50 km/h.

## Study Intersections

This study will focus on four (4) existing intersections and one (1) future intersection, as shown in Figure 2. The existing conditions and future changes anticipated at each Study Intersection are described in detail in Section 4.

- #1 – Wentworth Road at Payzant Drive
- #2 – Wentworth Road at Empire Lane
- #3 – King Street at College Road
- #4 – King Street at Chester Road
- #5 – King Street at Payzant Drive

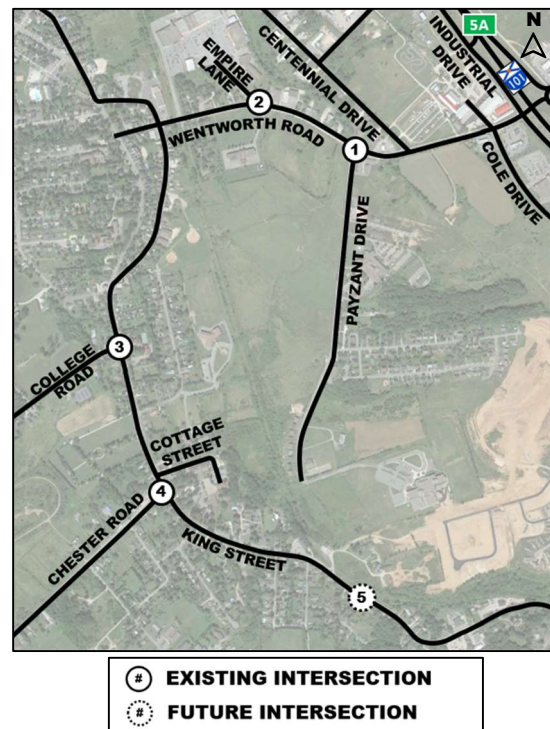


Figure 2 – Study Intersections

## 2 BACKGROUND TRAFFIC

### **Turning Movement Counts**

Turning movement volumes were collected by WSP between Tuesday, January 19<sup>th</sup> and Thursday, January 21<sup>st</sup>, 2021 at the existing Study Intersections. Traffic volumes were collected during the morning (7:00-9:00AM), midday (11:30AM-1:30PM) and afternoon (3:30-5:30PM) peak periods. Intersection counts have been tabulated in 15-minute intervals with peak hours indicated by shaded areas. Turning movement volumes are provided in Tables A-1 to A-4, Appendix A.

### **Seasonal Adjustment Factor**

NSTAT completes traffic counts on various roads and highways throughout the year. In order to normalize the collected traffic counts completed for different types of roads and to account for seasonal variation in traffic volumes, NSTAT develops average traffic count group factors. There is a factor determined for each week of the year for each road class.

Road classes consider the type of traffic use carried on a particular road section. A road section that primarily carries commuter traffic in an urban area does not see as much variation in volumes as a rural road in a tourist area would experience.

With respect to traffic volumes collected in the third week of January, the associated NSTAT seasonal adjustment factor for a 'A' class roadway (Wentworth Road and King Street) is 1.17 factor, as shown in Table A-5, Appendix A.

### **Covid-19 Adjustment Factor**

It should be noted that the traffic volume data was collected amidst the Covid-19 pandemic. Since traffic volumes in the WHRM appear to be similar to pre-pandemic conditions, volumes will be increased by 5% to account for potentially reduced travel patterns to be conservative.

### **Background Traffic from the Existing West Hants Sports Complex and Exhibition**

Since traffic volume data was collected amidst the Covid-19 pandemic, typical weekday traffic generated by the existing West Hants Sports Complex and Hants County Exhibition would not have been captured in the turning movement volumes collected at the Study Intersections.

The distribution of trips at Study Intersection #1 from the existing West Hants Sports Complex and Hants County Exhibition were extracted from the *Hants County Exhibition Expansion Traffic Impact Study (WSP, May 2021)*. Based on trips at the Wentworth / Payzant Drive intersection, trips were then distributed through the study area network.

Traffic from the existing West Hants Sports Complex and Hants County Exhibition is considered in 2021 volume projections, which is carried through to the 2030 volume projections.

### **Future Background Traffic from developments within WHRM**

There are ongoing developments in WHRM that are being constructed or plan to be constructed between the years 2021 and 2030 and will be considered in the 2030 volume projections. These developments include:

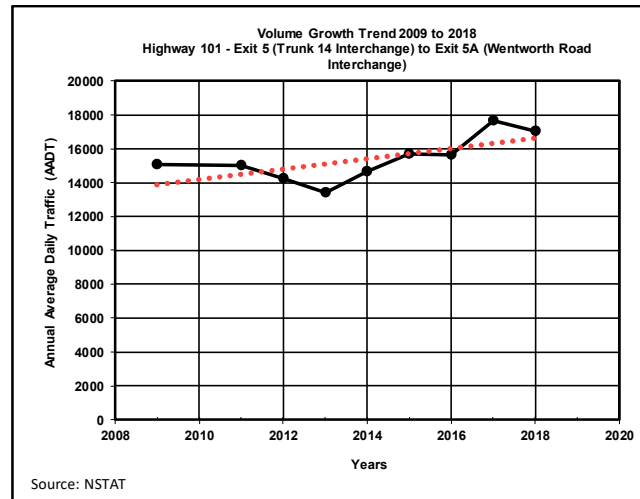
- Payzant Drive Area: 258 single family units, 250 apartment units with a community centre (10,000 sq. ft.).
- College Road Area: 88 units of Senior housing, 128 beds Long-term care, 42 units of assisted living, 10 units with disability requirements, 44 units of independent living with a commercial (medical centre/pharmacy)/café (8,000 sq.ft.) development and community centre (11,000 sq.ft.).
- Empire Lane Area: 27 apartment units
- The Crossing Area: 60 single family dwelling units

The above developments have been added to the 2030 volume projections and distributed onto the study network using the existing travel patterns.

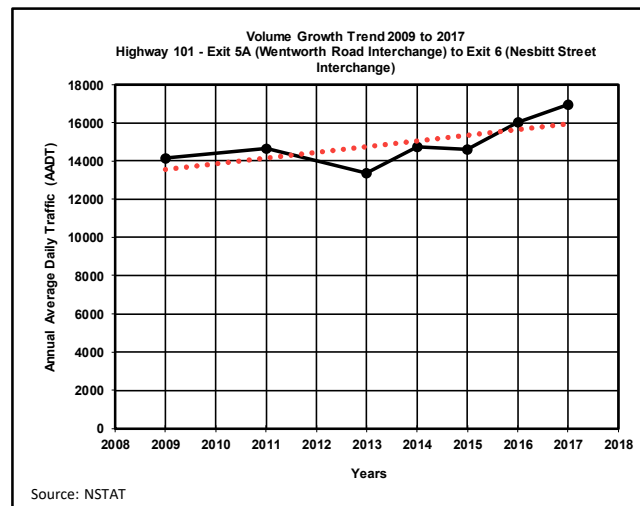
Historical data was unavailable for Wentworth Road or King Street within the Study Area, therefore, historical traffic volume data on Highway 101, near Exit 5, 5A and 6, was utilized for background growth.

The available traffic data for Highway 101 Section 60 (between Exit 5 and 5A) was reviewed and found a 1.76% growth rate, as shown in Figure 3. Similarly, the available data for Highway 101 Section 65 (between Exit 5A and 6) was reviewed and found a 1.74% growth rate, as shown in Figure 4.

To account for future annual growth of the unknown developments, an annual growth rate of 1.5% will be applied to the background volumes between 2021 and 2030 for this study.



**Figure 3 – Volume Growth Trend on Highway 101 Section 60 (2009 to 2018)**



**Figure 4 – Volume Growth Trend on Highway 101 Section 65 (2009 to 2017)**

**Future Traffic  
 from the  
 Hants County  
 Exhibition  
 Expansion**

The expansion of the Hants County Exhibition is expected to include approximately 35,000 ft<sup>2</sup> of commercial development, consisting of office space, retail establishments and restaurants. The distribution of trips at Study Intersection #1 from the Hants County Exhibition Expansion were extracted from the *Hants County Exhibition Expansion Traffic Impact Study (WSP, May 2021)*.

Traffic from the Hants County Exhibition Expansion is only considered in 2030 volume projections.



## 3 ANALYSIS SCENARIOS

### **Analysis Scenarios Considered**

WSP considered the following analysis scenarios at the Study Intersections:

1. 2021 Existing Conditions;
2. 2030 *without* Payzant Drive connection; and,
3. 2030 *with* Payzant Drive connection.

The scenarios are described in more detail in the following subsections. It should be noted that the scenarios do not apply to all Study Intersections. Study Intersections will be evaluated based on appropriate scenarios. Similarly, there may be additional scenarios considered that reflect slightly modified scenarios, depending on the intersection being considered.

It should be noted that the 2030 scenarios assume the following:

- Highway 101 Exit 5A Eastbound Ramp is re-aligned with Wentworth Road;
- Full build-out of the expansion to the Hants County Exhibition; and,
- Payzant Drive is extended west and connects with Centennial Drive.

### 3.1 SCENARIO 1: 2021 EXISTING CONDITIONS

#### **Projected 2021 Volumes**

Projected 2021 AM and PM peak hour volumes consider:

- 1.17 Seasonal Adjustment Factor
- 1.05 Covid-19 Adjustment Factor
- Trips generated by the West Hants Sports Complex on a typical weekday
- Trips generated by the existing Hants County Exhibition on a typical weekday

Study Intersections reviewed based on traffic volumes in Scenario 1 will be evaluated with respect to the existing traffic control and lane configurations.

### 3.2 SCENARIO 2: 2030 WITHOUT PAYZANT DRIVE CONNECTION

#### **Projected 2030 Volumes without Payzant Drive connection**

Projected 2030 AM and PM peak hour background volumes *without* the Payzant Drive connection consider:

- 2021 Volumes
- Future Background Developments
- 1.5% Annual Growth between 2021-2030
- Trips generated by the Hants County Exhibition Expansion on a typical weekday

### 3.3 SCENARIO 3: 2030 WITH PAYZANT DRIVE CONNECTION

#### **Projected 2030 Volumes with Payzant Drive connection**

Projected 2030 AM and PM peak hour background volumes *with* the Payzant Drive connection consider:

- 2021 Volumes
- Future Background Developments
- 1.5% Annual Growth between 2021-2030
- Trips generated by the Hants County Exhibition Expansion on a typical weekday
- Estimation of Redistributed Trips with the Payzant Drive connection open

## 4 INTERSECTION OPERATIONAL ANALYSIS

Intersection Level of Service (LOS) Analysis was completed to estimate how intersections may be expected to operate into the future without and with site generated trips. This section of the report addresses how left-turn lane warrants and traffic signal warrants were conducted and how each intersection was evaluated. The following subsections identify each study intersection and summarize the results of the operational analysis.

### **Left-Turn Lane Warrant Analysis**

Left-turn movements on a two-lane street may cause both operational and safety problems. Operational problems result as a vehicle stopped waiting for an opportunity to turn across ‘heavy’ opposing traffic causes a queue of stopped vehicles to form. Safety problems result from rear end collisions when a stopped left-turning vehicle is struck by an advancing vehicle, or from head-on or right-angle collisions when a left-turning vehicle is struck by an opposing vehicle.

The *Geometric Design Standards for Ontario Highways Manual* contains nomographs for left-turn lane analysis for two lane streets at unsignalized intersections. The analysis method, which is normally used by WSP Atlantic to evaluate the need for left-turn lanes, uses a series of nomographs that consider speed, advancing volumes, left-turns as a percentage of advancing volumes, and opposing volumes. A point, based on ‘opposing’ and ‘advancing’ volumes, plotted to the right of the ‘warrant line’ of the appropriate ‘% left-turns’ and ‘approach speed’ nomograph, indicates that a left-turn lane is warranted for the conditions used in the analysis. Similarly, a point that is plotted to the left of the warrant line indicates that a left-turn lane is not warranted.

Left-turn lane warrant analyses are included in Appendix B.

### **Traffic Signal Warrant Analysis**

A signal warrant analysis is completed to determine if the installation of traffic signals at an intersection will provide a positive impact on total intersection operation. That is, the benefits in time saved and improved safety that will accrue to vehicles entering from a side street will exceed the impact that signals will have in time lost and potential additional collisions for vehicles approaching the intersection on the main street.

The *Canadian Traffic Signal Warrant Matrix Analysis (Transportation Association of Canada (TAC), 2005)* considers 100 warrant points as an indication that traffic signals will provide a positive impact. Signal warrant analysis uses vehicular and pedestrian volumes, and intersection, roadway and study area characteristics to calculate a warrant point value.

Traffic signal warrant analyses are included in Appendix B.

### **Intersection Capacity Analysis Results**

*Synchro 11.0 / Arcady 9* software have been used for performance evaluation of the Study Intersections. Summaries of the results are provided in the following sub-sections and detailed results of the analyses are included in Appendix C.

### **Intersection Level of Service Analysis**

The level or quality of performance of an intersection in terms of traffic movement is determined by a level of service (LOS) analysis. LOS for intersections is defined in terms of delay, which is a measure of driver discomfort and frustration, fuel consumption, and increased travel time.

LOS criteria, as shown in Table 1 are stated in terms of average control delay per vehicle which includes initial deceleration delay, queue move-up time, stopped delay, and final acceleration delay.

Table 1 – Level of Service Criteria for Intersections

LOS	Signalized Intersections Control Delay (Seconds per Vehicle)	LOS Description	Roundabouts and Two Way Stop Controlled (TWSC) Intersections Control Delay (Seconds per Vehicle)
A	Less than 10.0	Very low delay; most vehicles do not stop ( <b>Excellent</b> )	Less than 10.0
B	Between 10.0 and 20.0	Higher delay; most vehicles stop ( <b>Very Good</b> )	Between 10.0 and 15.0
C	Between 20.0 and 35.0	Higher level of congestion; number of vehicles stopping is significant, although many still pass through intersection without stopping ( <b>Good</b> )	Between 15.0 and 25.0
D	Between 35.0 and 55.0	Congestion becomes noticeable; vehicles must sometimes wait through more than one red light; many vehicles stop ( <b>Satisfactory</b> )	Between 25.0 and 35.0
E	Between 55.0 and 80.0	Vehicles must often wait through more than one red light; considered by many agencies to be the limit of <b>acceptable</b> delay	Between 35.0 and 50.0
F	Greater than 80.0	This level is considered to be unacceptable to most drivers; occurs when arrival flow rates exceed the capacity of the intersection ( <b>Unacceptable</b> )	Greater than 50.0



## 4.1 INTERSECTION #1: WENTWORTH ROAD AT PAYZANT DRIVE

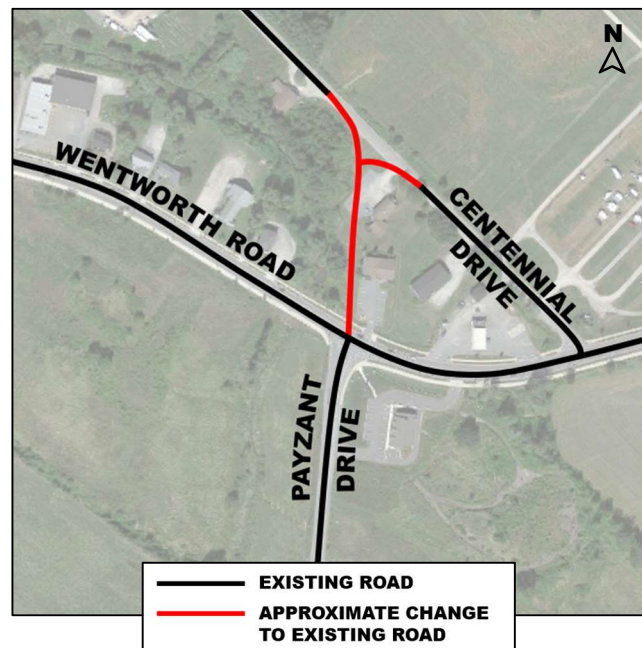
### **Existing / Future Intersection Description**

The existing intersection of *Wentworth Road at Payzant Drive / Commercial Driveway* is a 4-leg intersection with stop-control on the Payzant Drive and Commercial Driveway approaches, as shown in Photo 1. The Wentworth Road and Payzant Drive approaches are supplemented with a left-turn lane. There are painted crosswalks on the east and west legs and there is an enhanced crosswalk on the north leg.



**Photo 1 – Wentworth Road at Payzant Drive (Looking Southbound on Wentworth Road)**

With full build-out of the Hants County Exhibition Expansion, there are future plans to reconfigure this intersection. In Scenario 1, the west leg of this intersection is considered to be the existing commercial driveway. In Scenarios 2 and 3, the west leg of the intersection is considered an extension to Payzant Drive, as illustrated in Figure 5. It should be noted that this particular intersection is being considered for traffic signals or a roundabout as a result of the expansion to the Hants County Exhibition. Since there is some uncertainty of the future traffic control at this time, an operational analysis of a signalized and roundabout intersection was completed in Scenarios 2 and 3.



**Figure 5 – Future Intersection Configuration**

Another option for the intersection of Wentworth Road at Payzant Drive is to remain as a three-legged intersection with turning restrictions at the Centennial Drive/Wentworth Road intersection. This option may be reviewed during the detailed design of the project, however, was not considered in the analysis.

Traffic volume figures were prepared for existing conditions and future traffic volumes without and with the Payzant Drive connection. Table 2 provides a summary of the volume figures prepared and the location of the figure in Appendix A.

**Table 2 – Summary of Traffic Volume Figures: Wentworth Road at Payzant Drive**

	Description	Volume Figure
<b>Scenario 1</b>	Stop-control	Figure A-1 (Boxes A & B)
<b>Scenario 2</b>	Traffic Signals	Figure A-1 (Boxes C & D)
	Roundabout	Figure A-1 (Boxes E & F)
<b>Scenario 3</b>	Traffic Signals	Figure A-2 (Boxes A & B)
	Roundabout	Figure A-2 (Boxes C & D)

### **Warrant Summary**

Based on the existing traffic control and lane configurations, traffic signal warrants were completed, and no turning lane warrants were completed. It was determined that:

- Traffic signals are not warranted with respect to Scenario 1 (**82 Warrant Points**, Table B-1, Appendix B).
- Traffic signals are warranted with respect to Scenario 2<sup>1</sup> (**229 Warrant Points**, Table B-2, Appendix B).
- Traffic signals are warranted with respect to Scenario 3<sup>2</sup> (**145 Warrant Points**, Table B-3, Appendix B).

### **Intersection Operational Analysis Results**

Operational performance results for this intersection are provided in Table 4 (AM peak hour) and Table 5 (PM peak hour).

The signalized alternative in Scenarios 2 and 3 was evaluated with a northbound channelized right-turn from Wentworth Road to Payzant Drive and the eastbound approach consists of a lane for right-turn movements and a lane for shared left-turn and through movements. It should be noted that no changes were made to the traffic signal timing plan or lane configurations between Scenario 2 and 3 for comparison purposes. Without the Payzant Drive connection, all movements are expected to operate at a LOS 'E' or better and a v/c ratio of 0.99 or better.

The roundabout configuration evaluated in Scenarios 2 and 3 is provided on Page C-5 and C-8, Appendix C. No changes were made to the intersection geometry or lane configurations between Scenario 2 and 3 for comparison purposes.

#### **Key Takeaways:**

- The existing intersection is operating at a poor LOS.
- **Traffic signals are warranted** based on existing traffic volumes and are expected to **remain warranted** for future scenarios.
- The intersection performs better as a roundabout compared to traffic signals.
- Traffic signals are expected to provide an acceptable level of service at this intersection.
- Some **traffic is diverted from the intersection with the Payzant Drive connection open**, which slightly improves the operational performance of the intersection.
- **Minimal changes in the operational performance of this intersection are expected with the Payzant Drive connection.**

<sup>1</sup> Traffic signal warrant was completed based on traffic volumes in Figure A-1 (Boxes C & D)

<sup>2</sup> Traffic signal warrant was completed based on traffic volumes in Figure A-2 (Boxes A & B)

Without the Payzant Drive connection and with the roundabout option, all movements are expected to operate at a LOS 'B' and a v/c ratio of 0.65 or better.

In general, the operational performance of the intersection is expected to improve slightly with the Payzant Drive connection, regardless of the selected traffic control.

### Intersection Recommendations & Planning Cost Estimate

Based on findings from this study, in conjunction with the *Hants County Exhibition Expansion Traffic Impact Study (WSP, May 2021)*, it is recommended that plans be prepared to upgrade this intersection to a roundabout. The general configuration of roundabout is provided in Figure 6<sup>3</sup> and schematic image to show lane configuration. It is recommended that the roundabout include:

- Right-turn lane on the northbound approach;
- Left-turn lane on the southbound approach;
- Single lane on the eastbound and westbound approaches;
- Pedestrian crosswalks consisting of zebra markings and side-mounted signage (RA-4) as appropriate;
- Yield signage on all approaches; and,
- Sidewalk connections to crosswalks.

A planning cost estimate for these items is provided in Table 3. It is estimated that these intersection modifications would be in the range of approximately \$2,400,000 plus HST.

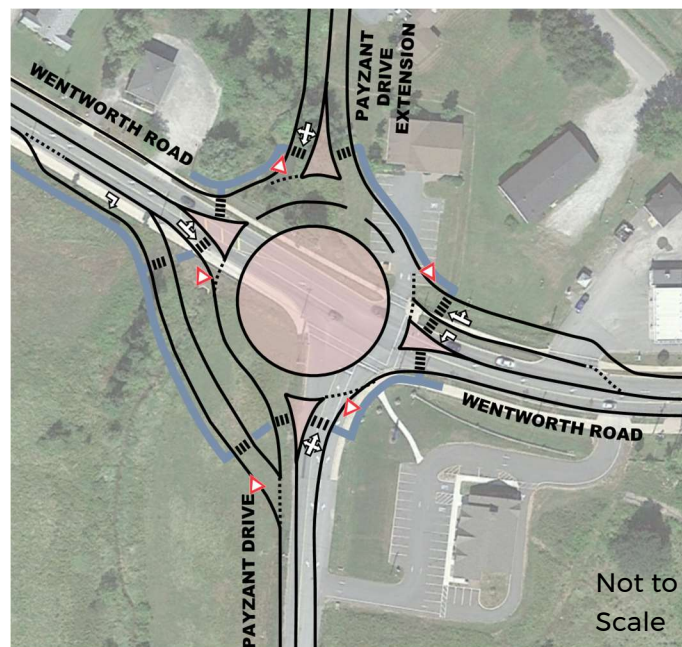


Figure 6 – Recommended Intersection Configuration: Wentworth Road at Payzant Drive<sup>3</sup>

Table 3 – Planning Cost Estimate: Wentworth Road at Payzant Drive

Item	Cost (HST Excluded)
Roundabout	\$1,600,000
50% Contingency	\$800,000
<b>Total</b>	<b>\$2,400,000</b>

<sup>3</sup> The rendering is not to scale and is intended for conceptual purposes only.

**Table 4 – Intersection Capacity Analysis: Wentworth Road at Payzant Drive (AM Peak)**

LOS Criteria	Control Delay (sec/veh), Level of Service (LOS), v/c Ratio, and 95 <sup>th</sup> %ile Queue (m) by Intersection Movement								Overall Intersection	
	Driveway		Payzant Drive		Wentworth Road					
	EB-LTR		WB-L	WB-TR	NB-L	NB-TR	SB-L	SB-TR	Delay	LOS
Scenario 1 - 2021 AM Peak Hour with Existing Conditions - <i>Stop Control</i> (Page C-1)										
Delay	71.7		345.9	16.4	8.3	0.0	11.1	0.0	18.2	C
LOS	F		F	C	A	A	B	A		
v/c	0.05		1.30	0.37	0.00	0.40	0.35	0.27		
Queue	1.3		50.3	13.6	0.0	0.0	12.9	0.0		
LOS Criteria	Payzant Drive				Wentworth Road				Overall Intersection	
	EB-L	EB-TR	WB-L	WB-TR	NB-L	NB-TR	SB-L	SB-TR	Delay	LOS
Scenario 2 - 2030 AM Peak Hour without Payzant Drive Connection - <i>Traffic Signals</i> (Page C-3)										
Delay	48.6	17.1	52.6	7.5	20.3	57.6	73.3	10.1	40.9	D
LOS	D	B	D	A	C	E	E	B		
v/c	0.3	0.22	0.78	0.53	0.17	0.99	0.99	0.43		
Queue	48.6	17.1	52.6	7.5	20.3	57.6	73.3	10.1		
Scenario 2 - 2030 AM Peak Hour without Payzant Drive Connection - <i>Roundabout</i> (Page C-5)										
Delay	7.8		9.9		10.1		3.9		7.4	A
LOS	A		A		B		A			
v/c	0.15		0.55		0.59		0.51			
Queue	3.5		19.6		17.5		10.5			
Scenario 3 - 2030 AM Peak Hour with Payzant Drive Connection - <i>Traffic Signals</i> (Page C-6)										
Delay	42.8	18.6	33.6	7.9	17.8	36.3	27.6	9.7	23.5	C
LOS	D	B	C	A	B	D	C	A		
v/c	0.22	0.20	0.40	0.48	0.16	0.88	0.76	0.44		
Queue	16.5	13.4	37.7	20.9	17.2	190.7	74.8	75.4		
Scenario 3 - 2030 AM Peak Hour with Payzant Drive Connection - <i>Roundabout</i> (Page C-8)										
Delay	6.4		7.0		8.7		3.3		6.0	A
LOS	A		A		A		A			
v/c	0.13		0.38		0.54		0.44			
Queue	3.5		19.6		15.4		14.0			

**Table 5 – Intersection Capacity Analysis: Wentworth Road at Payzant Drive (PM Peak)**

LOS Criteria	Control Delay (sec/veh), Level of Service (LOS), v/c Ratio, and 95 <sup>th</sup> %ile Queue (m) by Intersection Movement								Overall Intersection	
	Driveway		Payzant Drive		Wentworth Road					
	EB-LTR		WB-L	WB-TR	NB-L	NB-TR	SB-L	SB-TR	Delay	LOS
Scenario 1 - 2021 PM Peak Hour with Existing Conditions - <i>Stop Control</i> (Page C-2)										
Delay	39.6		134.2	17.2	8.5	0.0	9.1	0.0	13.3	B
LOS	E		F	C	A	A	A	A		
v/c	0.10		0.95	0.38	0.00	0.35	0.09	0.32		
Queue	2.5		50.8	14.3	0.1	0.0	2.4	0.0		
LOS Criteria	Payzant Drive				Wentworth Road				Overall Intersection	
	EB-L	EB-TR	WB-L	WB-TR	NB-L	NB-TR	SB-L	SB-TR	Delay	LOS
Scenario 2 - 2030 PM Peak Hour without Payzant Drive Connection - <i>Traffic Signals</i> (Page C-4)										
Delay	60.5	13.6	46.3	7.0	16.3	45.0	33.4	12.5	30.5	C
LOS	E	B	D	A	B	D	C	B		
v/c	0.61	0.30	0.72	0.45	0.14	0.94	0.70	0.51		
Queue	36.5	14.7	70.2	20.8	14.9	255.1	53.1	97.6		
Scenario 2 - 2030 PM Peak Hour without Payzant Drive Connection - <i>Roundabout</i> (Page C-5)										
Delay	8.6		18.0		12.8		3.5		10.3	B
LOS	A		C		B		A			
v/c	0.29		0.72		0.70		0.45			
Queue	11.2		79.8		56.0		13.3			
Scenario 3 - 2030 PM Peak Hour with Payzant Drive Connection - <i>Traffic Signals</i> (Page C-7)										
Delay	49.6	15.3	30.4	7.8	15.6	33.8	9.7	11.4	22	C
LOS	D	B	C	A	B	C	A	B		
v/c	0.51	0.28	0.32	0.43	0.14	0.87	0.35	0.50		
Queue	35.3	16.6	32.4	20.9	13.3	172.6	16.3	87.5		
Scenario 3 - 2030 PM Peak Hour with Payzant Drive Connection - <i>Roundabout</i> (Page C-8)										
Delay	6.8		9.3		10.9		2.9		7.3	A
LOS	A		A		B		A			
v/c	0.25		0.47		0.65		0.39			
Queue	9.8		22.4		31.5		18.9			



## 4.2 INTERSECTION #2: WENTWORTH ROAD AT EMPIRE LANE

### Existing Intersection Description

The existing intersection of *Wentworth Road at Empire Lane* is a 3-leg intersection with stop-control on the Empire Lane approach, as shown in Photo 2. The existing intersection was constructed with underground conduit in preparation for future potential signalization of the intersection. Empire Lane provides the primary vehicle access to the Fort Edward Mall, a shopping plaza consisting of major retail destinations in the area. The Empire Lane approach consists of a right-turn and left-turn lane separated by a splitter island. In addition, two-way vehicle movements on Empire Lane are separated by a median. The northbound approach on Wentworth Road is supplemented with a left-turn lane to the shopping plaza. There are painted crosswalks on the west leg and there is an enhanced crosswalk on the north leg.



Photo 2 – Wentworth Road at Empire Lane (Looking Southbound on Wentworth Road)

### Projected Traffic Volumes

Traffic volume figures were prepared for existing conditions and future traffic volumes without and with Payzant Drive connection open. Table 6 provides a summary of the volume figures prepared and the location of the figure in Appendix A.

Table 6 – Summary of Traffic Volume Figures: Wentworth Road at Empire Lane

	Volume Figure
Scenario 1	Figure A-3 (Boxes A & B)
Scenario 2	Figure A-3 (Boxes C & D)
Scenario 3	Figure A-3 (Boxes E & F)

### Warrant Summary

Based on the existing traffic control and lane configurations, traffic signal warrants were completed, and no turning lane warrants were completed. It was determined that:

- Traffic signals are not warranted with respect to Scenario 1 (**37 Warrant Points**, Table B-4, Appendix B).
- Traffic signals are not warranted with respect to Scenario 2 (**62 Warrant Points**, Table B-5, Appendix B).
- Traffic signals are not warranted with respect to Scenario 3 (**50 Warrant Points**, Table B-6, Appendix B).



### **Intersection Operational Analysis Results**

Operational performance results for this intersection are provided in Table 7.

The existing intersection is operating well during the morning and afternoon peak hours. This intersection was evaluated in Scenarios 2 and 3 with the existing intersection geometry and lane configurations.

In 2030 without the Payzant Drive connection, movements on the Wentworth Road approaches are expected to operate at LOS 'B' or better. Left turning traffic from the Fort Edward Mall is expected to experience the largest delay at LOS 'D' during the PM peak.

In 2030 with the Payzant Drive connection, all movements are expected to operate at a LOS 'C' or better and a v/c ratio of 0.45 or better. In general, with the Payzant Drive connection, the operational performance of the intersection is expected to improve slightly.

#### **Key Takeaways:**

- The existing intersection is operating well.
- **Traffic signals are not warranted** based on existing traffic volumes and are expected to **remain unwarranted** for all future scenarios.
- Implementing traffic signals at this intersection is expected to introduce an unnecessary delay to the Wentworth Road approaches.
- Some **traffic is diverted from the intersection with the Payzant Drive connection open**, which slightly improves the operational performance of the intersection.
- **Minimal changes in the operational performance of this intersection are expected with the Payzant Drive connection.**

### **Intersection Recommendations**

Since the existing intersection is currently operating well and is expected to continue to operate well in 2030 without and with the Payzant Drive connection, no major changes to the intersection geometry, traffic control or lane configurations are proposed. It is recommended that the intersection be monitored for future signalization.

**Table 7 – Intersection Capacity Analysis: Wentworth Road at Empire Lane**

LOS Criteria	Control Delay (sec/veh), Level of Service (LOS), v/c Ratio, and 95 <sup>th</sup> %ile Queue (m) by Intersection Movement					Overall Intersection	
	Empire Lane		Wentworth Road			Delay	LOS
	EB-L	EB-R	NB-L	NB-T	SB-TR		
Scenario 1 - 2021 AM Peak Hour with Existing Conditions - <b>Stop Control</b> (Page C-9)							
Delay	15.3	11.4	8.6	0.0	0.0	1.0	A
LOS	C	B	A	A	A		
v/c	0.09	0.05	0.05	0.40	0.30		
Queue	2.3	1.2	1.2	0.0	0.0		
Scenario 1 - 2021 PM Peak Hour with Existing Conditions - <b>Stop Control</b> (Page C-10)							
Delay	23.0	18.4	10.6	0.0	0.0	3.6	A
LOS	C	C	B	A	A		
v/c	0.40	0.23	0.09	0.28	0.42		
Queue	14.7	7.1	2.4	0.0	0.0		
Scenario 2 - 2030 AM Peak Hour without Payzant Drive Connection - <b>Stop Control</b> (Page C-11)							
Delay	19.2	14.1	9.5	0.0	0.0	1.1	A
LOS	C	B	A	A	A		
v/c	0.14	0.09	0.07	0.49	0.44		
Queue	3.7	2.3	1.7	0.0	0.0		
Scenario 2 - 2030 PM Peak Hour without Payzant Drive Connection - <b>Stop Control</b> (Page C-12)							
Delay	32.7	18.9	10.5	0.0	0.0	3.8	A
LOS	D	C	B	A	A		
v/c	0.54	0.27	0.11	0.43	0.55		
Queue	24	8.7	3.0	0.0	0.0		
Scenario 3 - 2030 AM Peak Hour with Payzant Drive Connection - <b>Stop Control</b> (Page C-13)							
Delay	16.8	12.5	9.0	0.0	0.0	1.1	A
LOS	C	B	A	A	A		
v/c	0.12	0.07	0.06	0.42	0.36		
Queue	3.1	1.9	1.5	0.0	0.0		
Scenario 3 - 2030 PM Peak Hour with Payzant Drive Connection - <b>Stop Control</b> (Page C-14)							
Delay	24.5	15.4	9.7	0.0	0.0	3.5	A
LOS	C	C	A	A	A		
v/c	0.45	0.22	0.10	0.36	0.45		
Queue	17.9	6.5	2.6	0.0	0.0		



## 4.3 INTERSECTION #3: KING STREET AT COLLEGE ROAD

### Existing Intersection Description

The existing intersection of **King Street at College Road** is a 3-leg intersection with stop-control on the College Road approach, as shown in Photo 3. All approaches consist of one lane and there is a pedestrian crosswalk offset from the south leg (approximately 10 m). There is a painted dashed yellow line present indicating the vehicle path for left turning vehicles. Since College Road consists of an uphill grade approaching King Street, and the STOP bar present on College Road is offset from the intersection, available sightlines from the STOP bar on College Road are restricted and are represented in Photo 4.



Photo 3 – King Street at College Road (Looking Southbound on King Street)



Photo 4 - College Road Approach

### Projected Traffic Volumes

Traffic volume figures were prepared for existing conditions and future traffic volumes without and with Payzant Drive connection open. Table 8 provides a summary of the volume figures prepared and the location of the figure in Appendix A.

Table 8 – Summary of Traffic Volume Figures: King Street at College Road

	Volume Figure
Scenario 1	Figure A-4 (Boxes A & B)
Scenario 2	Figure A-4 (Boxes C & D)
Scenario 3	Figure A-4 (Boxes E & F)

Based on the existing traffic control and lane configurations, traffic signal and left-turn lane warrants were completed. It was determined that:

- A northbound left-turn lane is currently warranted and is expected to remain warranted in Scenarios 2 and 3 (Figure B-1, Appendix B).
- Traffic signals are not warranted with respect to Scenario 2 (**29 Warrant Points with less than 75 vph average side street volumes**, Table B-8, Appendix B).

The largest traffic volumes expected at this intersection are projected in 2030 without the Payzant Drive connection (Scenario 2). Since traffic signals are not warranted in Scenario 2, traffic signals are not expected to be warranted in Scenario 3.

**Intersection  
Operational  
Analysis Results**

Operational performance results for this intersection are provided in Table 10.

It should be noted that this intersection was initially modelled with a northbound left-turn lane on King Street, however, minimal improvements to the operational performance of this intersection were observed. Since there is little benefit to the operational performance of this intersection and available space is limited, a left-turn lane was not considered in the analysis.

The existing intersection is operating well during the morning and afternoon peak hours.

In 2030 without the Payzant Drive connection (Scenario 2), King Street approaches are expected to operate at LOS 'A'. Left turning traffic from College Road is expected to experience the largest delay at LOS 'E' during the PM peak.

In 2030 with the Payzant Drive connection (Scenario 3), all movements are expected to operate at a LOS 'D' or better and a v/c ratio of 0.35 or better. In general, with the Payzant Drive connection, the operational performance of the intersection is expected to improve minimally.

**Key Takeaways:**

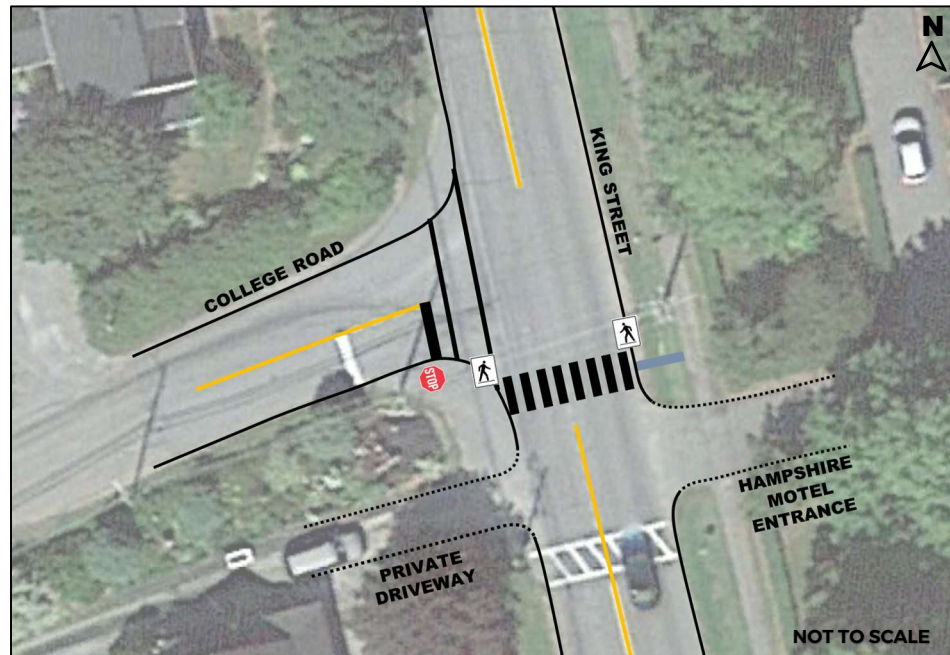
- The existing intersection is operating well.
- **Traffic signals are not warranted** based on Scenario 2 volumes and are expected to **remain unwarranted** for all future scenarios.
- A northbound left-turn lane is currently warranted and is expected to remain warranted in Scenarios 2 and 3.
- Negligible changes in the operational performance are expected with the introduction of a northbound left-turn.
- A northbound left-turn lane can be incorporated when future road work takes place.
- Some **traffic is diverted from the intersection with the Payzant Drive connection open**, which slightly improves the operational performance of the intersection.
- **Minimal changes in the operational performance of this intersection are expected with the Payzant Drive connection.**

Since the existing intersection is currently operating well and is expected to continue to operate well in 2030 without and with the Payzant Drive connection, minor changes to the intersection geometry are proposed. These are provided in Figure 7<sup>4</sup>. It is recommended that the intersection include the following:

- Complete a sightline review on King Street to determine the location for the crosswalk, as there is a crest on King Street;
- Provide curb extensions to reduce crossing distance for pedestrians, lower vehicle turning speeds and improve sightlines;
- Update pedestrian crosswalk on King Street to include zebra markings, side-mounted signage (RA-4);
- Relocate the stop bar on College Road approximately 5 m east to improve sightlines;
- Provide pedestrian crossing on College Road consisting of parallel bars;
- Update pavement markings;
- Remove existing yellow dashed line; and,
- Cut back vegetation to improve sightlines.

It is recommended that consideration be given to incorporating the construction of a northbound left-turn lane with future planned rehabilitation on King Street and the re-location of the crosswalk.

A planning cost estimate for these changes to the intersection are provided in Table 9. It is estimated that these intersection modifications would be in the range of approximately \$15,000 plus HST.



**Figure 7 – Recommended Intersection Configuration: King Street at College Road<sup>4</sup>**

<sup>4</sup> The rendering is not to scale and is intended for conceptual purposes only.

**Table 9 – Planning Cost Estimate: King Street at College Road**

Item	Cost (HST Excluded)
Intersection Modifications	\$10,000
50% Contingency	\$5,000
<b>Total</b>	<b>\$15,000</b>

**Table 10 - Intersection Capacity Analysis: King Street at College Road**

LOS Criteria	Control Delay (sec/veh), Level of Service (LOS), v/c Ratio, and 95 <sup>th</sup> %ile Queue (m) by Intersection Movement			Overall Intersection	
	College Road	King Street		Delay	LOS
	EB-LR	NB-LT	SB-TR		
Scenario 1 - 2021 AM Peak Hour with Existing Conditions - <b>Stop Control</b> (Page C-15)					
Delay	13.7	1.3	0.0	1.7	A
LOS	B	A	A		
v/c	0.13	0.04	0.17		
Queue	3.5	1.1	0.0		
Scenario 1 - 2021 PM Peak Hour with Existing Conditions - <b>Stop Control</b> (Page C-16)					
Delay	18.5	1.1	0.0	1.4	A
LOS	C	A	A		
v/c	0.17	0.04	0.34		
Queue	4.8	1.0	0.0		
Scenario 2 - 2030 AM Peak Hour without Payzant Drive Connection - <b>Stop Control</b> (Page C-17)					
Delay	18.8	1.5	0.0	2.3	A
LOS	C	A	A		
v/c	0.24	0.06	0.25		
Queue	7.5	1.5	0.0		
Scenario 2 - 2030 PM Peak Hour without Payzant Drive Connection - <b>Stop Control</b> (Page C-18)					
Delay	35.7	1.5	0.0	2.9	A
LOS	E	A	A		
v/c	0.45	0.06	0.43		
Queue	16.9	1.7	0.0		
Scenario 3 - 2030 AM Peak Hour with Payzant Drive Connection - <b>Stop Control</b> (Page C-19)					
Delay	15	1.5	0.0	2.3	A
LOS	C	A	A		
v/c	0.19	0.05	0.18		
Queue	5.5	1.3	0.0		
Scenario 3 - 2030 PM Peak Hour with Payzant Drive Connection - <b>Stop Control</b> (Page C-20)					
Delay	25.1	1.3	0.0	2.5	A
LOS	D	A	A		
v/c	0.35	0.05	0.35		
Queue	11.8	1.3	0.0		



## 4.4 INTERSECTION #4: KING STREET AT CHESTER ROAD

### **Existing / Future Intersection Description**

The existing intersection of *King Street at Chester Road* is a 3-leg intersection with stop-control on the Chester Road approach, as shown in Photo 5. All approaches consist of one lane. There are painted crosswalks on the west and north legs. In addition, there is a painted dashed line indicating the vehicle path for northbound left-turning vehicles. It should be noted that the exit driveway for the Clockmaker's Inn is within 5 m of the intersection to the south on King Street.



**Photo 5 – King Street at Chester Road (Looking Northbound on King Street)**

In addition, there is an unoccupied lot adjacent to the intersection and there is no curb present in this area, resulting in an empty asphalt area with no delineation between the lot and King Street and Chester Road, as shown in Photo 6 and Photo 7. Currently there are no treatments to discourage vehicles from cutting through the site to bypass the intersection.



**Photo 6 – Unoccupied Lot Fronting King Street**



**Photo 7 – Unoccupied Lot Fronting Chester Road**

Consideration is currently being given to realigning this intersection to include Cottage Street as a fourth leg. Implications of this realignment are considered in the following subsections of this report (Sections 4.4.1 & 4.4.2). This section of the report specifically focus on King Street and Chester Road as a 3-leg intersection.

**Projected Traffic  
Volumes**

Traffic volume figures were prepared for existing conditions and future traffic volumes without and with Payzant Drive connection open. Table 11 provides a summary of the volume figures prepared and the location of the figure in Appendix A.

**Table 11 – Summary of Traffic Volume Figures: King Street at Chester Road**

	Volume Figure
<b>Scenario 1</b>	Figure A-5 (Boxes A & B)
<b>Scenario 2</b>	Figure A-5 (Boxes C & D)
<b>Scenario 3</b>	Figure A-5 (Boxes E & F)

**Warrant  
Summary**

Based on the existing traffic control and lane configurations, traffic signal and left-turn lane warrants were completed. It was determined that:

- A northbound left-turn lane is **currently warranted** and is **expected to remain warranted** in Scenarios 2 and 3 (Figure B-2, Appendix B).
- Volumes are approaching the warrant threshold for traffic signals with respect to Scenario 2 (**83 Warrant Points**, Table B-10, Appendix B).
- Traffic signals are not warranted with respect to Scenario 3 (**67 Warrant Points**, Table B-11, Appendix B).

Since projected traffic volumes are approaching the warrant threshold with respect to Scenarios 2 and 3, traffic signals are expected to be warranted at this location in the future.

Operational performance results for this intersection are provided in Table 12 (AM peak hours) and Table 13 (PM peak hours).

The existing intersection is operating at a poor LOS during the afternoon peak, which is largely due to significantly delays on Chester Road. The Chester Road approach is currently operating near capacity during the afternoon peak ( $v/c = 0.87$ ).

This intersection was initially evaluated with stop-control on Chester Road, including northbound and eastbound left-turn lanes. Based on Scenario 2 volume projections, left-turning vehicles from Chester Road are expected to operate above capacity and at LOS 'F' during both peak periods. Similarly, left-turning vehicles were operating at LOS 'F' in Scenario 3.

Since this intersection approaches the warrant threshold in future Scenario 2, the intersection was evaluated with traffic signals and as a roundabout for comparison. It should be noted that the signalized alternatives also include a southbound right-turn channel in order to reduce delays introduced to through traffic on King Street. With traffic signals in Scenario 2, all movements are expected to operate at LOS 'C' or better with a  $v/c$  ratio of 0.70 or better. Similarly, in Scenario 3, all movements are expected to operate at LOS 'C' or better with a  $v/c$  ratio of 0.69 or better. For comparative purposes, no changes were made to the lane configurations or the traffic signal timing plans between Scenarios 2 and 3.

**Key Takeaways:**

- The existing Chester Road approach is operating at a poor LOS.
- This intersection **approaches the traffic signal warrant threshold** in Scenario 2.
- In 2030, to achieve an acceptable LOS for left-turning vehicles from Chester Road, traffic signals are recommended.
- Traffic signals are expected to provide an acceptable level of service at this intersection without and with the Payzant Drive connection.
- The 3-leg roundabout is expected to operate well with a LOS 'B' or better for both AM and PM peak hours.
- Some **traffic is diverted from the intersection with the Payzant Drive connection open**, which slightly improves the operational performance of the intersection.
- **Minimal changes in the operational performance of this intersection are expected with the Payzant Drive connection.**

The intersection was modelled as a 3-leg roundabout for Scenario 2 and all movements are expected to operate at LOS 'B' or better with a  $v/c$  ratio of 0.64 or better. Additional details regarding the roundabout configuration are provided on Page C-46, Appendix C.

**Table 12 – Intersection Capacity Analysis: King Street at Chester Road (AM Peak)**

LOS Criteria	Control Delay (sec/veh), Level of Service (LOS), v/c Ratio, and 95 <sup>th</sup> %ile Queue (m) by Intersection Movement						Overall Intersection	
	Chester Road		King Street				Delay	LOS
	EB-L	EB-R	NB-L	NB-T	SB-T	SB-R		
Scenario 1 - 2021 AM Peak Hour with Existing Conditions - <b>Stop Control</b> (Page C-21)								
Delay	27.6		2.2		C		8.9	A
LOS	D		A		A			
v/c	0.64		0.07		0.15			
Queue	34.5		1.7		0.0			
Scenario 2 - 2030 AM Peak Hour without Payzant Drive Connection - <b>Stop Control</b> (Page C-23)								
Delay	67.0	10.7	8.4	0.0	0.0		14.8	B
LOS	F	B	A	A	A			
v/c	0.87	0.09	0.08	0.23	0.22			
Queue	59.6	2.5	2.2	0.0	0.0			
Scenario 2 - 2030 AM Peak Hour without Payzant Drive Connection - <b>Traffic Signals</b> (Page C-25)								
Delay	22.7	6.3	6.6	9.7	19.4	6.8	14.1	B
LOS	C	A	A	A	B	A		
v/c	0.52	0.14	0.17	0.42	0.49	0.15		
Queue	43.8	7.8	11.2	45.2	51.7	9.8		
Scenario 3 - 2030 AM Peak Hour with Payzant Drive Connection - <b>Stop Control</b> (Page C-27)								
Delay	31.6	10.3	8.1	0.0	0.0		7.4	A
LOS	D	B	A	A	A			
v/c	0.57	0.16	0.09	0.22	0.15			
Queue	26.7	4.4	2.4	0.0	0.0			
Scenario 3 - 2030 AM Peak Hour with Payzant Drive Connection - <b>Traffic Signals</b> (Page C-29)								
Delay	20	5.9	6.0	8.6	18.0	6.1	11.5	B
LOS	C	A	A	A	B	A		
v/c	0.44	0.28	0.18	0.39	0.38	0.13		
Queue	30.4	10.4	11.1	35.7	33.1	7.3		
Scenario 2 - 2030 AM Peak Hour without Payzant Drive Connection - <b>Roundabout</b> (Page C-46)								
Delay	5.2		7.1		4.7		6.0	A
LOS	A		A		A			
v/c	0.31		0.49		0.25			
Queue	13.3		14.0		9.8			



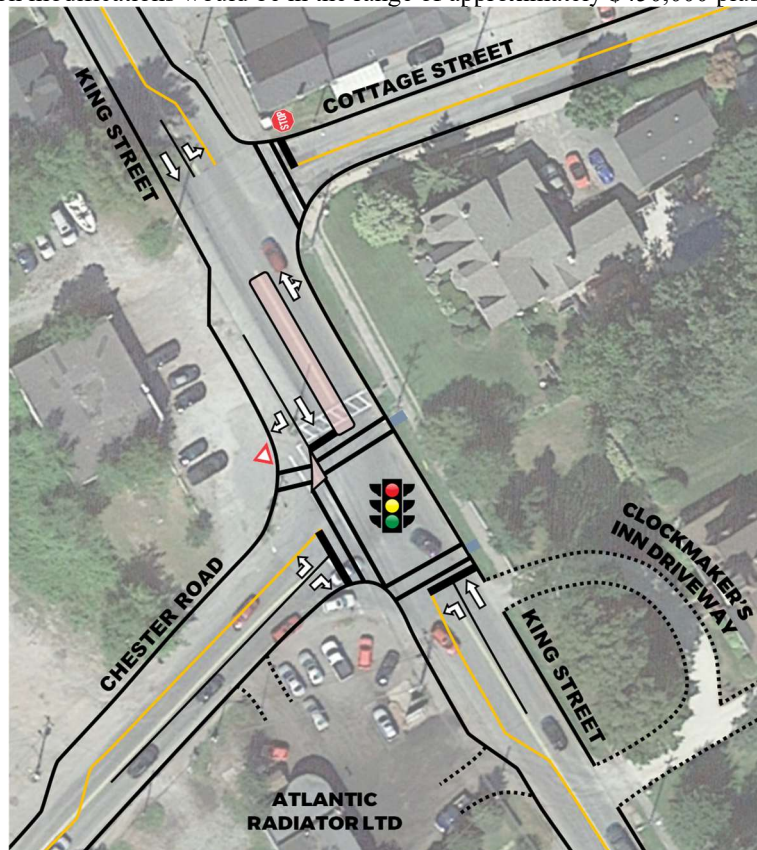
**Table 13 – Intersection Capacity Analysis: King Street at Chester Road (PM Peak)**

LOS Criteria	Control Delay (sec/veh), Level of Service (LOS), v/c Ratio, and 95 <sup>th</sup> %ile Queue (m) by Intersection Movement						Overall Intersection	
	Chester Road		King Street				Delay	LOS
	EB-L	EB-R	NB-L	NB-T	SB-T	SB-R		
Scenario 1 - 2021 PM Peak Hour with Existing Condition - <b>Stop Control</b> (Page C-22)								
Delay	67.8		4.5		0.0		13.8	B
LOS	F		A		A			
v/c	0.87		0.16		0.35			
Queue	58.8		4.6		0.0			
Scenario 2 - 2030 PM Peak Hour without Payzant Drive Connection - <b>Stop Control</b> (Page C-24)								
Delay	268.5	13.9	10.3	0.0	0.0		30.7	C
LOS	F	B	B	A	A			
v/c	1.36	0.19	0.21	0.24	0.44			
Queue	90.4	5.4	6.3	0.0	0.0			
Scenario 2 - 2030 PM Peak Hour without Payzant Drive Connection - <b>Traffic Signals</b> (Page C-26)								
Delay	27.8	7.8	6.5	7.6	23.2	8.1	14.2	B
LOS	C	A	A	A	C	A		
v/c	0.47	0.23	0.33	0.38	0.70	0.44		
Queue	41.2	11.2	16.7	43.1	81.6	26.4		
Scenario 3 - 2030 PM Peak Hour with Payzant Drive Connection - <b>Stop Control</b> (Page C-28)								
Delay	193	13.4	10.1	0.0	0.0		18.8	C
LOS	F	B	B	A	A			
v/c	1.12	0.24	0.26	0.23	0.36			
Queue	61.7	7.6	8.5	0.0	0.0			
Scenario 3 - 2030 PM Peak Hour with Payzant Drive Connection - <b>Traffic Signals</b> (Page C-30)								
Delay	28	8.4	6.1	6.4	25.0	8.1	13.4	B
LOS	C	A	A	A	C	A		
v/c	0.42	0.36	0.39	0.35	0.69	0.37		
Queue	31.4	13.8	20.2	35.5	72.7	20.6		
Scenario 2 - 2030 PM Peak Hour without Payzant Drive Connection - <b>Roundabout</b> (Page C-46)								
Delay	5.8		9.7		10.4		9.3	A
LOS	A		A		B			
v/c	0.30		0.64		0.64			
Queue	12.6		20.3		24.5			

It is recommended that the King Street / Chester Road intersection be upgraded to a signalized intersection or a single lane roundabout. For the signalized intersection option, the recommendations proposed are provided in Figure 8<sup>5</sup>. It is recommended that the intersection include the following:

- Upgrade traffic control device to traffic signals;
- Provide a southbound channelized right-turn lane;
- Provide a northbound left-turn lane;
- Provide an eastbound left-turn lane;
- Provide corner curb extensions to reduce crossing distance for pedestrians, lower vehicle turning speeds and improve sightlines;
- Provide pedestrian crossings on all approaches consisting of parallel bars;
- Updated pavement markings; and
- Remove existing yellow dashed line.

A planning cost estimate for these items is provided in Table 14. It is estimated that these intersection modifications would be in the range of approximately \$450,000 plus HST.



**Figure 8 – Recommended Intersection Configuration: King Street at Chester Road<sup>5</sup>**

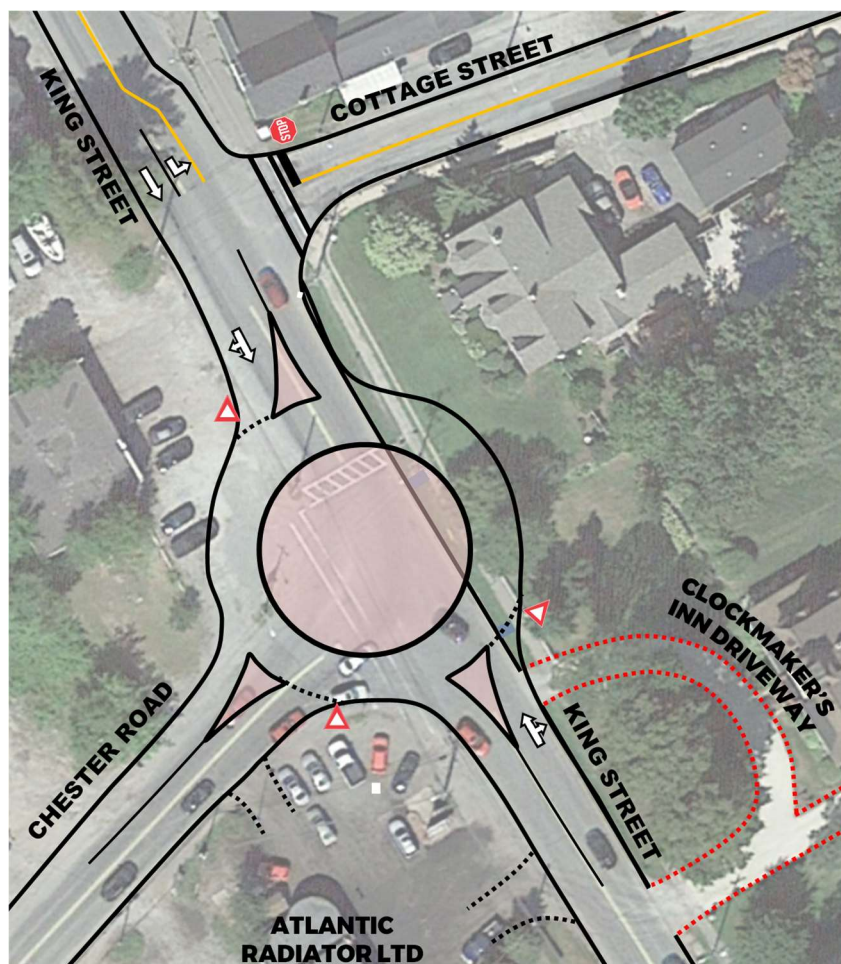
**Table 14 – Planning Cost Estimate: King Street at Chester Road**

Item	Cost (HST Excluded)
Intersection Modifications with Traffic Signals	\$300,000
50% Contingency	\$150,000
<b>Total</b>	<b>\$450,000</b>

<sup>5</sup> The rendering is not to sale and is intended for conceptual purposes only.

For the roundabout option, the recommended layout is shown in Figure 9, which illustrates a single lane roundabout.

A planning cost estimate for these items is provided in Table 15. It is estimated that these intersection modifications would be in the range of approximately \$1,875,000 plus HST.



**Figure 9 – Recommended Intersection Configuration: King Street at Chester Road<sup>5</sup>**

**Table 15 – Planning Cost Estimate: King Street at Chester Road**

Item	Cost (HST Excluded)
Intersection Modifications with Roundabout	\$1,250,000
50% Contingency	\$625,000
<b>Total</b>	<b>\$1,875,000</b>

#### 4.4.1 KING STREET AT COTTAGE STREET

##### **Existing / Future Intersection Description**

As previously mentioned, consideration is being given to assessing the implications of realigning Cottage Street with the King Street / Chester Road intersection. The existing intersection of **King Street at Cottage Street** is a 3-leg intersection with stop-control on the Cottage Street approach, as shown in Photo 8. All approaches consist of one lane and there is a painted crosswalk on the east leg. This intersection is located approximately 25 m north of the King Street / Chester Road intersection.



**Photo 8 – Existing King Street at Cottage Street Intersection**

##### **Intersection Operational Analysis Results: 3 Leg Intersection**

In order to compare the impacts of realigning Cottage Street with the King Street / Chester Road intersection, analyses were completed to determine the operational performance of King Street / Cottage Street with respect to Scenario 2 volumes (the largest traffic volumes expected at this intersection).

To better understand the implications of introducing traffic signals downstream, this analysis was completed once with stop-control at the King Street / Chester Road intersection and once with traffic signals. In general, slight improvements to the operational performance of this intersection were observed with traffic signals at the King Street / Chester Road intersection. Operational performance results for the 3-leg intersection are provided in Table 16.

In general, the King Street / Cottage Street intersection is expected to perform well in 2030 without the Payzant Drive connection. The King Street approaches are expected to operate at LOS 'A' and the Cottage Street approach is expected to operate at LOS 'C' or better during the morning and afternoon peak hours.



**Table 16 – Intersection Capacity Analysis: King Street at Cottage Street (3-Leg Intersection)**

LOS Criteria	Control Delay (sec/veh), Level of Service (LOS), v/c Ratio, and 95 <sup>th</sup> %ile Queue (m) by Intersection Movement			Overall Intersection	
	Cottage Street	King Street			
	WB-LR	NB-TR	SB-LT	Delay	LOS
Modelled with Stop Control at King Street / Chester Road					
Scenario 2 - 2030 AM Peak Hour without Payzant Drive Connection - Stop Control (Page C-31)					
Delay	14.6	0.0	0.9	0.6	A
LOS	B	A	A		
v/c	0.05	0.37	0.03		
Queue	1.3	0.0	0.7		
Scenario 2 - 2030 PM Peak Hour without Payzant Drive Connection - Stop Control (Page C-32)					
Delay	23.4	0.0	0.3	1.3	A
LOS	C	A	A		
v/c	0.25	0.34	0.01		
Queue	7.8	0.0	0.3		
Modelled with Traffic Signals at King Street / Chester Road					
Scenario 2 - 2030 AM Peak Hour without Payzant Drive Connection - SIGNALS at King/Chester (Page C-33)					
Delay	14.6	0.0	0.9	0.6	A
LOS	B	A	A		
v/c	0.05	0.37	0.03		
Queue	1.3	0.0	0.7		
Scenario 2 - 2030 PM Peak Hour without Payzant Drive Connection - SIGNALS at King/Chester (Page C-34)					
Delay	21.8	0.0	0.3	1.0	A
LOS	C	A	A		
v/c	0.20	0.34	0.01		
Queue	6.0	0.0	0.3		

#### 4.4.2 KING STREET AT CHESTER ROAD / COTTAGE STREET

##### **Projected Traffic Volumes:** 4-Leg Intersection

Traffic volume projections were prepared to estimate turning movement counts at the potential 4-leg intersection without and with Payzant Drive connection. Table 17 provides a summary of the volume figures prepared and the location of the figure in Appendix A.

**Table 17 – Summary of Traffic Volume Figures: King Street at Chester Road / Cottage Street**

	Volume Figure
<b>Scenario 2</b>	Figure A-6 (Boxes A & B)
<b>Scenario 3</b>	Figure A-6 (Boxes C & D)

##### **Warrant Summary:** 4-Leg Intersection

Based on the existing traffic control and lane configurations, traffic signal and left-turn lane warrants were completed. It was determined that:

- A southbound left-turn lane is **warranted** and in Scenarios 2 and 3 (Figure B-2, Appendix B).
- Volumes are approaching the warrant threshold for traffic signals with respect to Scenario 2 (**91 Warrant Points**, Table B-12, Appendix B).
- Traffic signals are not warranted with respect to Scenario 3 (**75 Warrant Points**, Table B-13, Appendix B).

##### **Intersection Operational Analysis Results:** 4-Leg Intersection

Operational performance results for the 4-leg intersection are provided in Table 18.

In addition to the lane configuration recommendations for the future King Street / Chester Road intersection (northbound and eastbound left-turn lanes and a channelized southbound right-turn lane), the intersection was evaluated with the realignment of Chester Street approach to Cottage Street.

In Scenario 2, traffic signals are nearing the warrant threshold (91 warrant points). It should be noted that no changes were made to the lane configurations or the traffic signal timing plans between Scenarios 2 and 3 for comparative purposes.

With traffic signals in Scenario 2, all movements are expected to operate at LOS 'D' or better with a v/c ratio of 0.87 or better. Similarly, in Scenario 3, all movements are expected to operate at LOS 'D' or better with a v/c ratio of 0.84 or better.

A roundabout analysis was completed at the 4-leg intersection with the realigned approach of Chester Street. The roundabout is expected to operate with a LOS 'B' or better with a v/c ratio of 0.64 or better. Additional details regarding the roundabout configuration are provided on Page C-47, Appendix C.

##### **Key Takeaways:**

- This intersection approaches the traffic signal warrant threshold in Scenario 2.
- Traffic signals are expected to provide an acceptable level of service at this intersection without and with the Payzant Drive connection.
- The 4-leg roundabout is expected to operate at an acceptable level of service.
- Some **traffic is diverted from the intersection with the Payzant Drive connection open**, which slightly improves the operational performance of the intersection.
- **Minimal changes in the operational performance of this intersection are expected with the Payzant Drive connection.**

**Table 18 – Intersection Capacity Analysis: King Street at Chester Road / Cottage Street (4-Leg Alternative)**

LOS Criteria	Control Delay (sec/veh), Level of Service (LOS), v/c Ratio, and 95 <sup>th</sup> %ile Queue (m) by Intersection Movement							Overall Intersection	
	Chester Road		Cottage Street	King Street					
	EB-L	EB-TR	WB-LTR	NB-L	NB-TR	SB-L	SB-TR	Delay	LOS
Scenario 2 - 2030 AM Peak Hour without Payzant Drive Connection - <i>Traffic Signals</i> (Page C-35)									
Delay	26.5	6.6	10.6	8.2	11.1	15.9	21.6	16.9	B
LOS	C	A	B	A	B	B	C		
v/c	0.60	0.14	0.05	0.20	0.42	0.05	0.61		
Queue	50.2	8.9	5.4	13.6	53.5	5.6	69.8		
Scenario 2 - 2030 PM Peak Hour without Payzant Drive Connection - <i>Traffic Signals</i> (Page C-36)									
Delay	43.1	9.2	20.4	10.6	7.5	11.1	29.2	21.6	C
LOS	D	A	C	B	A	B	C		
v/c	0.64	0.24	0.19	0.50	0.35	0.02	0.87		
Queue	54.9	13.1	16.5	19.8	47.3	3.7	149.6		
Scenario 3 - 2030 AM Peak Hour with Payzant Drive Connection - <i>Traffic Signals</i> (Page C-37)									
Delay	23.6	6.0	10.3	6.6	9.1	15.6	17.6	12.9	B
LOS	C	A	B	A	A	B	B		
v/c	0.50	0.27	0.06	0.19	0.38	0.05	0.44		
Queue	33.2	11.1	5.0	12.9	39.8	5.3	41.9		
Scenario 3 - 2030 PM Peak Hour with Payzant Drive Connection - <i>Traffic Signals</i> (Page C-38)									
Delay	36.9	8.8	20.0	9.3	6.6	13.5	29.5	18.7	B
LOS	D	A	B	A	A	B	C		
v/c	0.51	0.34	0.21	0.51	0.33	0.03	0.84		
Queue	39.1	15.5	15.8	27.1	40.1	4.1	117.0		
Scenario 2 - 2030 AM Peak Hour without Payzant Drive Connection - <i>Roundabout</i> (Page C-47)									
Delay	5.4		4.9	7.1		4.8		6.0	A
LOS	A		A	A		A			
v/c	0.32		0.03	0.49		0.26			
Queue	14.0		3.5	14.7		7.7			
Scenario 2 - 2030 PM Peak Hour without Payzant Drive Connection - <i>Roundabout</i> (Page C-47)									
Delay	5.9		5.7	9.8		10.5		9.2	A
LOS	A		A	A		B			
v/c	0.30		0.09	0.64		0.64			
Queue	12.6		3.5	21.7		23.1			

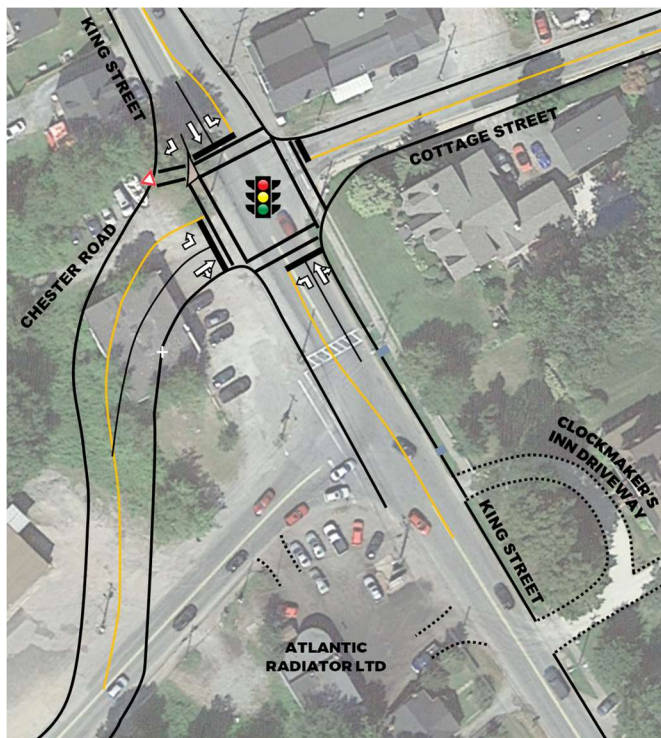
**Table 19 – Intersection Capacity Analysis: King Street at Cottage Street with Southbound Left-Turn Lane**

LOS Criteria	Control Delay (sec/veh), Level of Service (LOS), v/c Ratio, and 95 <sup>th</sup> %ile Queue (m) by Intersection Movement				Overall Intersection	
	Cottage Street	King Street				
	WB-LR	NB-TR	SB-L	SB-T	Delay	LOS
Traffic Signals at King Street / Chester Road & Southbound Left-Turn Lane on King Street at Cottage Street						
Scenario 2 - 2030 AM Peak Hour without Payzant Drive Connection (Page C-39)						
Delay	14.6	0.0	9.0	0.0	0.5	A
LOS	B	A	A	A		
v/c	0.05	0.37	0.03	0.22		
Queue	1.3	0.0	0.7	0.0		
Scenario 2 - 2030 PM Peak Hour without Payzant Drive Connection (Page C-40)						
Delay	21.8	0.0	8.8	0.0	0.9	A
LOS	C	A	A	A		
v/c	0.20	0.34	0.01	0.43		
Queue	6.0	0.0	0.3	0.0		

**Conclusions & Recommendations for Realigning Cottage Street with King Street / Chester Road Intersection**

A review was completed to position a roundabout at Cottage Street with a realigned Chester Road at King Street. This roundabout option would have significant land impacts north and east of the intersection, along with significant construction costs. Due to these challenges the realigned option focused on a signalized intersection and is shown in Figure 10.

A planning cost estimate for re-alignment of Cottage Street and the addition of traffic signals is provided in Table 20. It is estimated that these intersection modifications would be in the range of approximately \$900,000 plus HST.



**Figure 10 – Recommended Intersection Configuration: King Street at Chester St/Cottage St**



**Table 20 – Planning Cost Estimate: King Street at Chester St/Cottage St**

Item	Cost (HST Excluded)
Traffic Signals and Re-alignment of Chester Street	\$600,000
50% Contingency	\$300,000
<b>Total</b>	<b>\$900,000</b>

## 4.5 INTERSECTION #5: KING STREET AT PAYZANT DRIVE

### **Existing / Future Intersection Description**

Unlike Study Intersections #1-4, this intersection only exists in Scenario 3 when Payzant Drive connections with King Street. King Street, in the approximate area that Payzant Drive is expected to connect to, consists of one lane in each direction with a posted speed limit of 50 km/h.

### **Projected Traffic Volumes**

Traffic volume projections were prepared for Scenario 3 based on an estimated redistribution of future traffic volumes expected. Traffic volume figures for Scenario 3 are provided in Figure A-7, Appendix A.

### **Warrant Summary**

A traffic signal warrant and a left turning lane warrant were completed. It was determined that:

- A southbound left-turn lane is warranted (Figure B-3, Appendix B).
- Traffic signals are not warranted (**60 Warrant Points**, Table B-15, Appendix B).

It was determined that the future intersection of King Street / Payzant Drive would not warrant traffic signals in 2030. Similarly, the resulting 2030 traffic volumes do not necessarily warrant a higher level of traffic beyond stop-control. Despite the warranted traffic control, this intersection was evaluated with stop-control, traffic signals and as a roundabout in order to better understand the potential for a future major intersection.

### **Intersection Operational Analysis Results**

Operational performance results for this intersection are provided in Table 23.

The stop-control alternative was examined with southbound and westbound left-turn lanes. With stop-control on Payzant Drive and free flow on King Street, the intersection is expected to operate at an acceptable level of service. King Street movements are expected to operate at LOS 'A' with a v/c ratio of 0.40 or better. Left-turning traffic from Payzant Drive is expected to operate over capacity at LOS 'E' and 'F' during the morning and afternoon peak periods, respectively.

The signalized intersection alternative was examined with the same lane configuration as the stop-control option. With traffic signals, the performance of the Payzant Drive approach is expected to improve, however, additional delays are introduced to the King Street approaches. With traffic signals, the intersection is expected to operate at LOS 'B' or better during morning and afternoon peak periods.

The roundabout alternative was evaluated with single lane approaches. Additional details regarding the roundabout configuration are provided on Page C-45, Appendix C. With the roundabout, all approaches are expected to operate at LOS 'A' with a v/c ratio of 0.67 or better.

#### **Key Takeaways:**

- Traffic signals are not expected to be warranted in 2030 with the Payzant Drive connection open. **However, with the delay expected for left-turn traffic, a higher level of traffic control is recommended.**

With the left-turn from Payzant Drive operating at a LOS 'E' and 'F' during the AM and PM peak hours, respectively, a higher level of traffic control is recommended for this intersection. Since acceptable performance results are achievable with a signalized intersection or a roundabout, it is recommended that the King Street / Payzant Drive intersection be designed with either traffic control.

If WHRM would like to proceed with the installation of traffic signals, it is recommended that intersection include the following (shown in Figure 11<sup>6</sup>):

- Provide stop-control on Payzant Drive approach;
- Provide a westbound left-turn lane on Payzant Drive;
- Provide a southbound left-turn lane on King Street;
- Install underground conduit during construction of this intersection to prepare for future signalization; and,
- Monitor intersection for future signalization.

A planning cost estimate for these items is provided in Table 21. It is estimated that these intersection modifications would be in the range of approximately \$90,000 plus HST. It should be noted that the planning cost estimate assumes that the Payzant Drive connection has been constructed and conduit has been run for future signalization. The planning cost estimate reflects the costs associated with providing an eastbound left-turn lane on Payzant Drive and a southbound left-turn lane on King Street. These budgets may vary based on the requirements for the railway crossing.



**Figure 11 – Recommended Intersection Configuration: King Street at Payzant Drive<sup>6</sup>**

**Table 21 – Planning Cost Estimate: King Street at Payzant Drive - Signalization**

Item	Cost (HST Excluded)
STOP Controlled Intersection with Left-Turn Lane & underground conduit for future signalization	\$60,000
50% Contingency	\$30,000
<b>Total</b>	<b>\$90,000</b>

<sup>6</sup> The rendering is not to scale and is intended for conceptual purposes only.

If WHRM would like to proceed with the installation of a roundabout, it is recommended that the intersection be a single lane roundabout.

A planning cost estimate for these items is provided in Table 22. It is estimated that these intersection modifications would be in the range of approximately \$1,875,000 plus HST. It should be noted that the planning cost estimate assumes that the Payzant Drive connection has been constructed. These budgets may vary based on the requirements for the railway crossing.

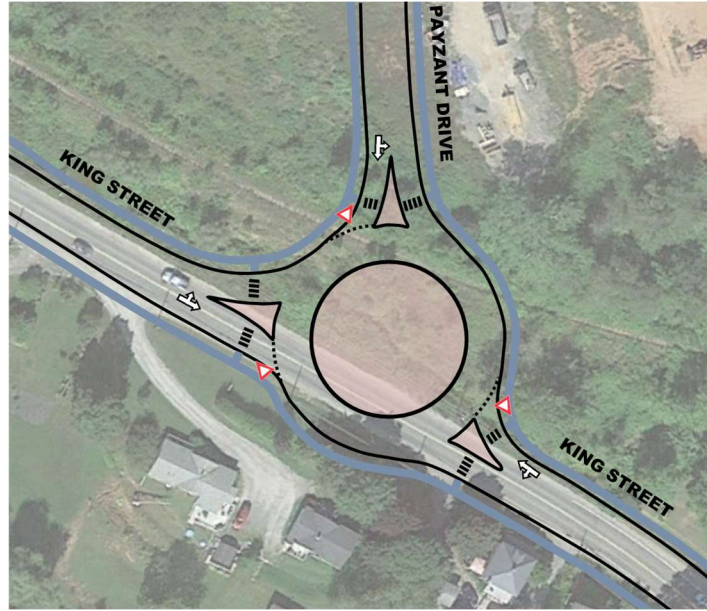


Figure 12 – Recommended Roundabout Configuration: King Street at Payzant Dr<sup>6</sup>

Table 22 – Planning Cost Estimate: King Street at Payzant Drive - Roundabout

Item	Cost (HST Excluded)
Single lane Roundabout	\$1,250,000
50% Contingency	\$625,000
<b>Total</b>	<b>\$1,875,000</b>

**Table 23 – Intersection Capacity Analysis: King Street at Payzant Drive**

LOS Criteria	Control Delay (sec/veh), Level of Service (LOS), v/c Ratio, and 95th %ile Queue (m) by Intersection Movement					Overall Intersection	
	Payzant Drive Connector		King Street				
	WB-L	WB-R	NB-TR	SB-L	SB-T	Delay	LOS
Scenario 3 - 2030 AM Peak Hour with Payzant Drive Connection - <b>Stop Control</b> (Page C-41)							
Delay	37.1	12.8	0.0	9.1	0.0	5.2	A
LOS	E	B	A	A	A		
v/c	0.50	0.16	0.34	0.12	0.17		
Queue	20.0	4.4	0.0	3.4	0.0		
Scenario 3 - 2030 PM Peak Hour with Payzant Drive Connection - <b>Stop Control</b> (Page C-42)							
Delay	62.8	15.4	0.0	9.5	0.0	5.8	A
LOS	F	C	A	A	A		
v/c	0.61	0.28	0.40	0.12	0.29		
Queue	26.0	9.0	0.0	3.4	0.0		
Scenario 3 - 2030 AM Peak Hour with Payzant Drive Connection - <b>Traffic Signals</b> (Page C-43)							
Delay	15.1	5.9	10.2	9.7	7.4	9.5	A
LOS	B	A	B	A	A		
v/c	0.21	0.18	0.56	0.31	0.27		
Queue	16.8	8.5	53.9	14.3	23.2		
Scenario 3 - 2030 PM Peak Hour with Payzant Drive Connection - <b>Traffic Signals</b> (Page C-44)							
Delay	18.1	6.4	13.0	12.4	9.5	11.6	B
LOS	B	A	B	B	A		
v/c	0.25	0.29	0.71	0.42	0.51		
Queue	19.9	11.4	70.4	15.6	44.7		
Scenario 3 - 2030 AM Peak Hour with Payzant Drive Connection - <b>Roundabout</b> (Page C-45)							
Delay	5.4		5.7	8.2		6.9	A
LOS	A		A	A			
v/c	0.21		0.40	0.57			
Queue	8.4		18.9	10.5			
Scenario 3 - 2030 PM Peak Hour with Payzant Drive Connection - <b>Roundabout</b> (Page C-45)							
Delay	6.5		8.5	10.5		9.1	A
LOS	A		A	B			
v/c	0.29		0.59	0.67			
Queue	11.2		11.9	0.0			

# 5 SUMMARY, RECOMMENDATIONS & CONCLUSIONS

## 5.1 SUMMARY

<b>Background</b>	1. WHRM is preparing for potential changes to the road network that will have an impact on traffic volumes on Wentworth Road and King Street. Consideration is being given to re-aligning the Highway 101 Eastbound Exit 5A Ramp at Industrial Drive by NSTAT. With this realignment, the existing entrance to the Hants County Exhibition will be required to be relocated along Wentworth Road. In addition, the WHRM is considering extending Payzant Drive to the east to connect with King Street.
<b>Study Objective</b>	2. WSP Canada Inc. has been retained to determine the impact of these changes at a series of key intersections and provide recommendations to mitigate the impacts of the changes to the regional transportation system.
<b>Study Intersections</b>	3. This study focused on four (4) existing intersections and one (1) future intersection: #1 – Wentworth Road at Payzant Drive #2 – Wentworth Road at Empire Lane #3 – King Street at College Road #4 – King Street at Chester Road #5 – King Street at Payzant Drive ( <i>future intersection</i> )
<b>Turning Movement Counts</b>	4. Turning movement volumes were collected by WSP between Tuesday, January 19 <sup>th</sup> and Thursday, January 21 <sup>st</sup> , 2021 at the existing Study Intersections.
<b>Analysis Scenarios Considered</b>	5. WSP considered the following analysis scenarios <i>Scenario 1</i> – 2021 Existing Conditions <i>Scenario 2</i> – 2030 <i>without</i> Payzant Drive connection <i>Scenario 3</i> – 2030 <i>with</i> Payzant Drive connection  <i>Scenario 1:</i> Projected 2021 AM and PM peak hour volumes consider: <ul style="list-style-type: none"> <li>• 1.17 Seasonal Adjustment Factor</li> <li>• 1.05 Covid-19 Adjustment Factor</li> <li>• Trips generated by the West Hants Sports Complex on a typical weekday</li> <li>• Trips generated by the existing Hants County Exhibition on a typical weekday</li> </ul> <i>Scenario 2:</i> Projected 2030 AM and PM peak hour background volumes <i>without</i> the Payzant Drive connection consider: <ul style="list-style-type: none"> <li>• Projected 2021 Volumes</li> <li>• 1.5% Annual Growth between 2021-2030</li> <li>• Trips generated by the Hants County Exhibition Expansion on a typical weekday</li> </ul> <i>Scenario 3:</i> Projected 2030 AM and PM peak hour background volumes <i>with</i> the Payzant Drive connection consider: <ul style="list-style-type: none"> <li>• Projected 2021 Volumes</li> <li>• 1.5% Annual Growth between 2021-2030</li> <li>• Trips generated by the Hants County Exhibition Expansion on a typical weekday</li> </ul> Estimation of Redistributed Trips with the Payzant Drive connection open

<b>Upgrade Warrant Analysis</b>	6. Warrant analyses were completed for left-turn lanes and traffic signals for different scenarios at the different Study Intersections, as required. Warranted intersection upgrades are included in the intersection analysis, as appropriate.
<b>Summary – Intersection Capacity Analysis</b>	7. Intersection performance analysis was completed using <i>Synchro 11.0</i> and/or <i>Arcady 9</i> at the Study Intersections.

## 5.2 RECOMMENDATIONS

<b>Intersection #1</b>	8. <b><i>Wentworth Road at Payzant Drive</i></b> – Based on findings from this study, in conjunction with the <i>Hants County Exhibition Expansion Traffic Impact Study (WSP, May 2021)</i> , it is recommended that plans be prepared to enhance this intersection to a roundabout. The planning cost estimate indicates that these modifications will be in the range of approximately \$2,400,000 plus HST.
<b>Intersection #2</b>	9. <b><i>Wentworth Road at Empire Lane</i></b> – It is recommended that this intersection be monitored for future signalization.
<b>Intersection #3</b>	10. <b><i>King Street at College Road</i></b> – Minor recommendations for this intersection include curb extensions, relocating/upgrading the pedestrian crosswalk on King Street, relocating the stop bar on College Road, providing a crosswalk on College Road consisting of parallel bars, updating pavement markings, removing the existing yellow dashed line and cutting back vegetation. The planning cost estimate indicates that these modifications will be in the range of approximately \$15,000 plus HST.
<b>Intersection #4</b>	11. <b><i>King Street at Chester Road</i></b> – It is recommended that this intersection be signalized with a southbound right-turn channel, a northbound left-turn lane and an eastbound left-turn lane. Pedestrian crosswalks consisting of parallel bars are recommended on all approaches. In addition, a southbound left-turn lane is recommended on King Street at Cottage Street. The planning cost estimate indicates that the modifications to King Street / Chester Road will be in the range of approximately \$450,000 plus HST.  If WHRM completes the realignment of Chester Road with Cottage Street at King Street, it is recommended that the 4-leg intersection be signalized with a southbound right-turn channel, northbound left-turn lane and eastbound left-turn lane. The planning cost estimate indicates that the modifications to King Street / Chester Road & Cottage Road intersection will be in the range of approximately \$900,000 plus HST.
<b>Intersection #5</b>	12. <b><i>King Street at Payzant Drive</i></b> – It is recommended that this future intersection consist of stop-control on the Payzant Drive approach with a southbound left-turn lane and an eastbound left-turn lane and plan for future signalization with underground conduit. The planning cost estimate indicates that this new intersection will be in the range of approximately \$90,000 plus HST.

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## 5.3 CONCLUSIONS

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- |                   |   |
|-------------------|---|
| <b>Conclusion</b> | <p>13. With the recommended upgrades, the Study Intersections are expected to operate within the outlined performance guidelines.</p> <p>14. Some traffic is expected to divert from King Street and Wentworth Road when the Payzant Drive connection is open. The operational performance of all Study Intersections is projected to improve slightly with diverted through traffic on King Street and Wentworth Road.</p> |
|-------------------|---|
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# APPENDIX

# A

## TRAFFIC VOLUME DATA





<div>Table A-1</div> <div>Wentworth Road @ Payzant Drive / Commercial Driveway</div> <div>Windsor, Nova Scotia Tuesday, January 19, 2021</div>				<div><div><div>Driveway</div><div>I H G</div><div><div><div></div><div></div><div></div></div></div><div><div>J</div><div>K</div><div>L</div></div><div>Wentworth Road</div></div><div><div><div>Ped 3</div><div>Ped 4</div><div>Ped 2</div><div>Ped 1</div></div><div>A B C</div><div>Payzant Drive</div></div><div><div>Wentworth Road</div><div>F</div><div>E</div><div>D</div></div></div>										
				AM Peak Period Volume Data										
Time		Payzant Drive Westbound Approach			Wentworth Road Southbound Approach			Commercial Driveway Eastbound Approach			Wentworth Road Northbound Approach			Total Vehicles
		A	B	C	D	E	F	G	H	I	J	K	L	
07:00	07:15	4	0	16	13	28	0	0	0	0	0	35	9	105
07:15	07:30	6	0	12	13	38	0	0	0	0	3	49	8	129
07:30	07:45	6	0	9	21	37	1	0	0	0	3	60	10	147
07:45	08:00	4	0	8	36	68	0	0	0	2	2	73	17	210
08:00	08:15	12	0	13	34	84	1	0	0	0	0	87	23	254
08:15	08:30	14	0	24	48	77	0	0	0	0	1	71	36	271
08:30	08:45	15	0	43	68	82	0	0	0	0	0	68	63	339
08:45	09:00	14	0	59	91	94	2	2	0	0	1	87	65	415
AM Peak Hour		55	0	139	241	337	3	2	0	0	2	313	187	1279
07:00	08:00	20	0	45	83	171	1	0	0	2	8	217	44	591
08:00	09:00	55	0	139	241	337	3	2	0	0	2	313	187	1279
		Ped 1			Ped 2			Ped 3			Ped 4			Total Peds
07:00	08:00	4			0			1			0			5
08:00	09:00	5			3			5			0			13
Midday Peak Period Volume Data														
Time		Payzant Drive Westbound Approach			Wentworth Road Southbound Approach			Commercial Driveway Eastbound Approach			Wentworth Road Northbound Approach			Total Vehicles
		A	B	C	D	E	F	G	H	I	J	K	L	
11:30	11:45	20	0	38	18	103	0	1	0	1	0	89	26	296
11:45	12:00	21	0	24	29	105	0	1	0	0	0	93	22	295
12:00	12:15	12	0	22	22	109	0	1	0	1	2	114	16	299
12:15	12:30	19	0	20	20	91	0	2	2	1	0	109	14	278
12:30	12:45	17	0	15	13	110	0	0	0	1	1	104	18	279
12:45	13:00	20	0	12	18	85	0	0	0	1	1	101	14	252
13:00	13:15	17	0	16	22	87	0	0	0	1	1	92	21	257
13:15	13:30	35	0	67	23	102	0	0	0	0	1	117	15	360
Midday Peak Hour		72	0	104	89	408	0	5	2	3	2	405	78	1168
11:30	12:30	72	0	104	89	408	0	5	2	3	2	405	78	1168
12:30	13:30	89	0	110	76	384	0	0	0	3	4	414	68	1148
		Ped 1			Ped 2			Ped 3			Ped 4			Total Peds
11:30	12:30	4			1			6			0			11
12:30	13:30	3			1			3			0			7
PM Peak Period Volume Data														
Time		Payzant Drive Westbound Approach			Wentworth Road Southbound Approach			Commercial Driveway Eastbound Approach			Wentworth Road Northbound Approach			Total Vehicles
		A	B	C	D	E	F	G	H	I	J	K	L	
15:30	15:45	34	0	51	22	90	1	0	0	1	0	95	9	303
15:45	16:00	21	0	32	16	85	0	0	0	1	0	99	12	266
16:00	16:15	14	0	31	14	123	0	0	0	0	0	107	14	303
16:15	16:30	20	1	22	13	91	0	1	0	2	1	94	10	255
16:30	16:45	6	0	14	15	113	0	1	0	2	0	95	18	264
16:45	17:00	22	0	15	12	105	0	0	0	4	0	94	11	263
17:00	17:15	17	0	19	14	107	0	0	0	0	0	95	6	258
17:15	17:30	9	0	13	12	81	0	0	0	0	0	72	11	198
PM Peak Hour		89	1	136	65	389	1	1	0	4	1	395	45	1127
15:30	16:30	89	1	136	65	389	1	1	0	4	1	395	45	1127
16:30	17:30	54	0	61	53	406	0	1	0	6	0	356	46	983
		Ped 1			Ped 2			Ped 3			Ped 4			Total Peds
15:30	16:30	2			5			5			0			12
16:30	17:30	1			0			2			0			3

\* Count completed by WSP

<div>Table A-2</div> <div>Wentworth Road @ Empire Lane</div> <div>Windsor, Nova Scotia Tuesday, January 19, 2021</div>				<div><div><div><div><div></div><div>I</div><div>G</div></div><div><div></div><div>J</div><div>K</div></div><div><div></div><div>Ped 3</div><div>Ped 4</div></div><div><div></div><div>Ped 2</div><div></div></div><div><div></div><div>F</div><div>E</div></div></div><div>Empire Lane</div><div>Wentworth Road</div></div></div>				
AM Peak Period Volume Data								
Time		Wentworth Road Southbound Approach		Empire Lane Eastbound Approach		Wentworth Road Northbound Approach		Total Vehicles
		E	F	G	I	J	K	
07:00	07:15	26	4	2	1	1	43	77
07:15	07:30	35	4	0	0	2	60	101
07:30	07:45	31	6	2	1	3	73	116
07:45	08:00	57	21	3	2	5	89	177
08:00	08:15	74	16	5	7	8	104	214
08:15	08:30	78	15	8	5	9	108	223
08:30	08:45	81	10	5	6	6	133	241
08:45	09:00	79	23	7	3	13	154	279
AM Peak Hour		312	64	25	21	36	499	957
07:00	08:00	149	35	7	4	11	265	471
08:00	09:00	312	64	25	21	36	499	957
		Ped 2		Ped 3		Ped 4		Total Peds
07:00	08:00	0		1		0		1
08:00	09:00	0		4		0		4
Midday Peak Period Volume Data								
Time		Wentworth Road Southbound Approach		Empire Lane Eastbound Approach		Wentworth Road Northbound Approach		Total Vehicles
		E	F	G	I	J	K	
11:30	11:45	90	39	19	18	8	96	270
11:45	12:00	94	25	26	13	9	95	262
12:00	12:15	97	33	29	11	14	102	286
12:15	12:30	83	33	28	16	10	95	265
12:30	12:45	101	27	28	17	15	90	278
12:45	13:00	85	21	26	11	14	97	254
13:00	13:15	78	25	25	12	16	94	250
13:15	13:30	109	28	31	16	15	103	302
Midday Peak Hour		375	118	111	57	48	382	1091
11:30	12:30	364	130	102	58	41	388	1083
12:30	13:30	373	101	110	56	60	384	1084
		Ped 2		Ped 3		Ped 4		Total Peds
11:30	12:30	0		5		0		5
12:30	13:30	0		4		0		4
PM Peak Period Volume Data								
Time		Wentworth Road Southbound Approach		Empire Lane Eastbound Approach		Wentworth Road Northbound Approach		Total Vehicles
		E	F	G	I	J	K	
15:30	15:45	107	31	28	12	12	72	262
15:45	16:00	87	19	17	21	9	97	250
16:00	16:15	115	28	23	16	9	103	294
16:15	16:30	98	21	23	19	15	81	257
16:30	16:45	96	26	31	15	16	78	262
16:45	17:00	115	21	23	13	10	83	265
17:00	17:15	111	15	19	8	6	78	237
17:15	17:30	84	14	16	16	10	62	202
PM Peak Hour		424	96	100	63	50	345	1078
15:30	16:30	407	99	91	68	45	353	1063
16:30	17:30	406	76	89	52	42	301	966
		Ped 2		Ped 3		Ped 4		Total Peds
15:30	16:30	0		6		0		6
16:30	17:30	1		1		0		2

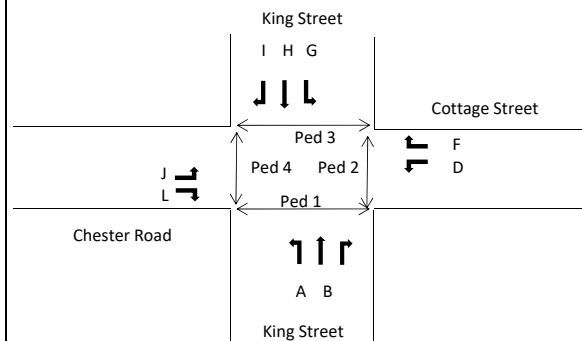
\* Count completed by WSP

<div>Table A-3</div> <div>King Street (Trunk 1) @ College Road</div> <div>Windsor, Nova Scotia Thursday, January 21, 2021</div>								
AM Peak Period Volume Data								
Time		King Street Northbound Approach		King Street Southbound Approach		College Road Eastbound Approach		Total Vehicles
		A	B	H	I	J	L	
07:00	07:15	1	48	22	2	1	2	76
07:15	07:30	4	46	23	1	5	3	82
07:30	07:45	4	47	45	1	3	0	100
07:45	08:00	15	74	64	5	4	7	169
08:00	08:15	9	80	51	6	6	8	160
08:15	08:30	13	102	43	4	3	9	174
08:30	08:45	4	78	38	3	9	2	134
08:45	09:00	3	96	51	3	5	1	159
AM Peak Hour		41	334	196	18	22	26	637
07:00	08:00	24	215	154	9	13	12	427
08:00	09:00	29	356	183	16	23	20	627
		Ped 1		Ped 3		Ped 4		Total Peds
07:00	08:00	0		0		0		0
08:00	09:00	1		0		0		1
Midday Peak Period Volume Data								
Time		King Street Northbound Approach		King Street Southbound Approach		College Road Eastbound Approach		Total Vehicles
		A	B	H	I	J	L	
11:30	11:45	2	65	80	4	4	2	157
11:45	12:00	5	93	76	5	8	3	190
12:00	12:15	1	87	85	9	4	4	190
12:15	12:30	5	57	80	2	6	1	151
12:30	12:45	3	72	64	5	8	4	156
12:45	13:00	2	95	72	4	7	4	184
13:00	13:15	4	74	64	3	8	5	158
13:15	13:30	3	64	74	4	4	4	153
Midday Peak Hour		13	302	321	20	22	10	688
11:30	12:30	13	302	321	20	22	10	688
12:30	13:30	12	305	274	16	27	17	651
		Ped 1		Ped 3		Ped 4		Total Peds
11:30	12:30	3		0		0		3
12:30	13:30	1		0		0		1
PM Peak Period Volume Data								
Time		King Street Northbound Approach		King Street Southbound Approach		College Road Eastbound Approach		Total Vehicles
		A	B	H	I	J	L	
15:30	15:45	8	88	104	7	5	6	218
15:45	16:00	5	80	97	12	4	5	203
16:00	16:15	3	100	105	3	4	6	221
16:15	16:30	12	66	98	7	7	3	193
16:30	16:45	3	76	104	4	6	11	204
16:45	17:00	2	71	108	4	2	3	190
17:00	17:15	7	79	98	5	4	5	198
17:15	17:30	4	54	78	9	3	8	156
PM Peak Hour		28	334	404	29	20	20	835
15:30	16:30	28	334	404	29	20	20	835
16:30	17:30	16	280	388	22	15	27	748
		Ped 1		Ped 3		Ped 4		Total Peds
15:30	16:30	2		0		0		2
16:30	17:30	1		0		0		1

\* Count completed by WSP

**Table A-4**  
**King Street (Trunk 1)**  
**@**  
**Chester Road / Cottage Street**

Windsor, Nova Scotia  
Thursday, January 21, 2021



#### AM Peak Period Volume Data

Time	King Street Northbound Approach			Cottage Street Westbound Approach		King Street Southbound Approach			Chester Road Eastbound Approach		Total Vehicles
	A	B	C	D	F	G	H	I	J	L	
07:00 07:15	5	31	1	3	5	2	18	8	19	5	97
07:15 07:30	10	36	0	0	1	1	24	7	21	15	115
07:30 07:45	8	25	2	2	1	4	24	15	31	11	123
07:45 08:00	8	52	5	1	2	9	37	12	34	6	166
08:00 08:15	11	60	5	1	2	2	45	10	32	8	176
08:15 08:30	17	71	1	1	0	2	32	15	44	14	197
08:30 08:45	17	45	1	0	0	8	20	14	37	13	155
08:45 09:00	20	61	8	1	9	2	43	13	42	12	211
<b>AM Peak Hour</b>	<b>65</b>	<b>237</b>	<b>15</b>	<b>3</b>	<b>11</b>	<b>14</b>	<b>140</b>	<b>52</b>	<b>155</b>	<b>47</b>	<b>739</b>
07:00 08:00	31	144	8	6	9	16	103	42	105	37	501
08:00 09:00	65	237	15	3	11	14	140	52	155	47	739
	Ped 1			Ped 2		Ped 3			Ped 4		Total Peds
07:00 08:00	0			1		0			0		1
08:00 09:00	0			3		0			0		3

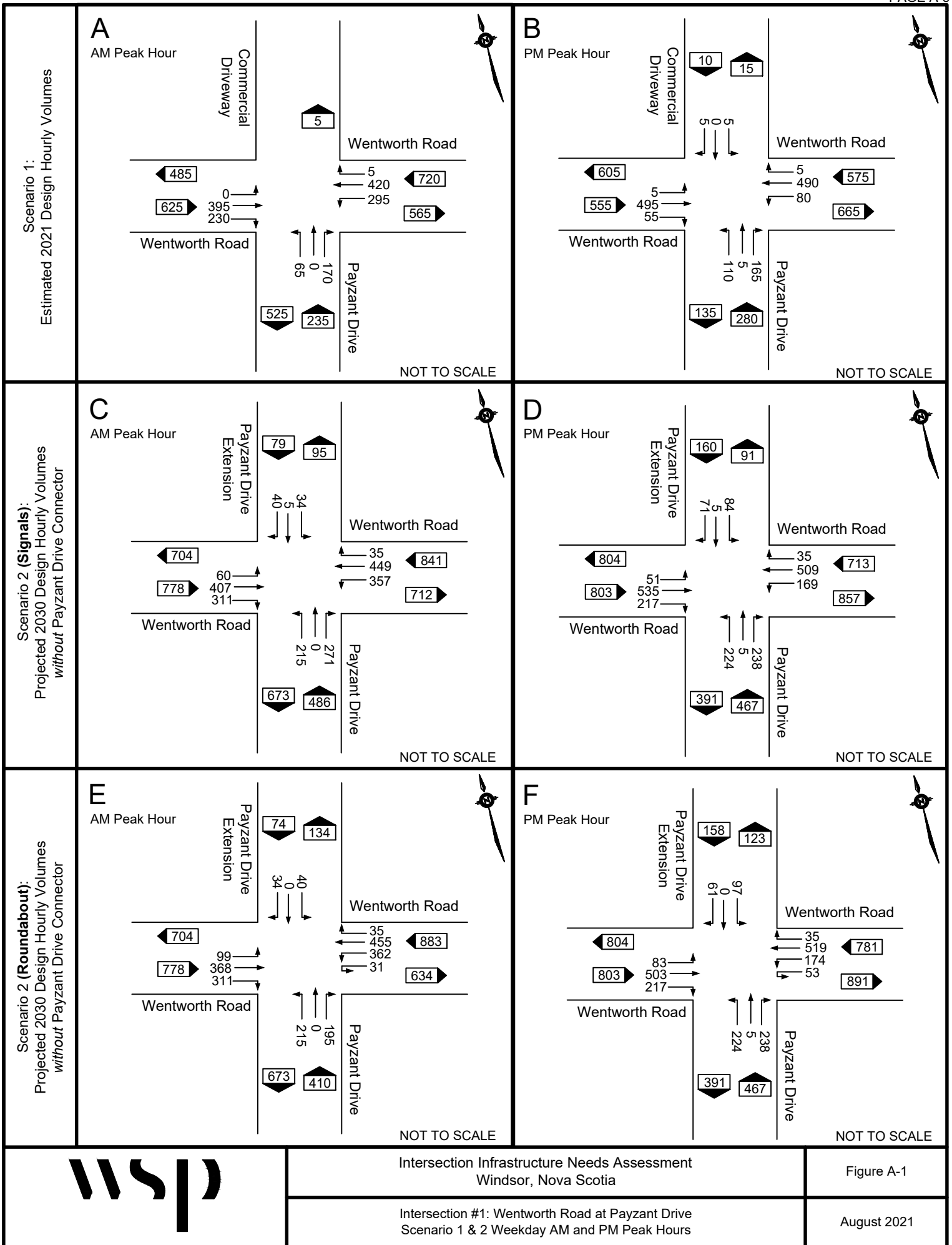
#### Midday Peak Period Volume Data

Time	King Street Northbound Approach			Cottage Street Westbound Approach		King Street Southbound Approach			Chester Road Eastbound Approach		Total Vehicles
	A	B	C	D	F	G	H	I	J	L	
11:30 11:45	14	46	0	1	1	5	48	28	22	12	177
11:45 12:00	11	49	5	6	5	1	48	33	37	14	209
12:00 12:15	16	64	1	3	4	1	44	41	25	10	209
12:15 12:30	10	39	0	4	2	1	56	25	20	17	174
12:30 12:45	10	51	0	0	1	5	49	20	26	17	179
12:45 13:00	11	59	1	1	2	1	47	24	34	16	196
13:00 13:15	8	48	2	1	2	0	44	27	26	21	179
13:15 13:30	11	44	1	0	0	1	49	30	28	15	179
<b>Midday Peak Hour</b>	<b>47</b>	<b>203</b>	<b>6</b>	<b>13</b>	<b>12</b>	<b>8</b>	<b>197</b>	<b>119</b>	<b>108</b>	<b>58</b>	<b>771</b>
11:30 12:30	51	198	6	14	12	8	196	127	104	53	769
12:30 13:30	40	202	4	2	5	7	189	101	114	69	733
	Ped 1			Ped 2		Ped 3			Ped 4		Total Peds
11:30 12:30	0			4		1			0		5
12:30 13:30	0			0		0			0		0

#### PM Peak Period Volume Data

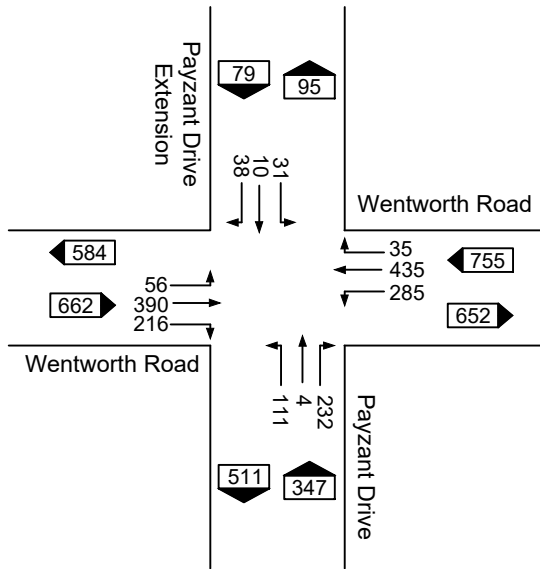
Time	King Street Northbound Approach			Cottage Street Westbound Approach		King Street Southbound Approach			Chester Road Eastbound Approach		Total Vehicles
	A	B	C	D	F	G	H	I	J	L	
15:30 15:45	24	66	1	2	5	1	74	41	27	17	258
15:45 16:00	28	49	2	2	0	2	57	44	38	11	233
16:00 16:15	23	61	1	8	11	2	63	40	29	19	257
16:15 16:30	32	54	0	3	1	1	57	47	19	9	223
16:30 16:45	31	52	1	1	4	2	66	51	30	14	252
16:45 17:00	33	48	3	6	2	2	68	53	29	18	262
17:00 17:15	28	58	0	1	0	1	56	42	24	17	227
17:15 17:30	24	44	0	0	2	1	51	33	13	9	177
<b>PM Peak Hour</b>	<b>119</b>	<b>215</b>	<b>5</b>	<b>18</b>	<b>18</b>	<b>7</b>	<b>254</b>	<b>191</b>	<b>107</b>	<b>60</b>	<b>994</b>
15:30 16:30	107	230	4	15	17	6	251	172	113	56	971
16:30 17:30	116	202	4	8	8	6	241	179	96	58	918
	Ped 1			Ped 2		Ped 3			Ped 4		Total Peds
15:30 16:30	1			5		1			0		7
16:30 17:30	0			5		5			0		10

\* Count completed by WSP



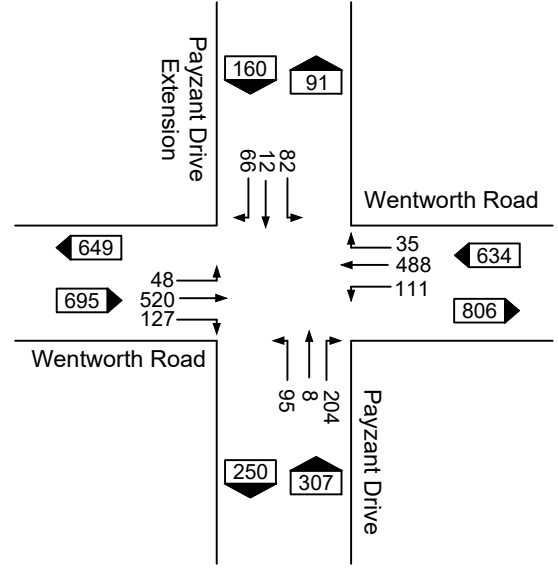
Scenario 3 (Signals):  
Projected 2030 Design Hourly Volumes with Payzant Drive Connector

**A**  
AM Peak Hour



NOT TO SCALE

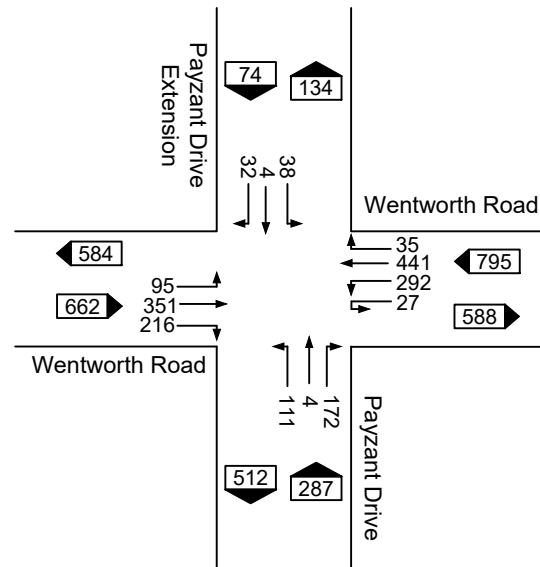
**B**  
PM Peak Hour



NOT TO SCALE

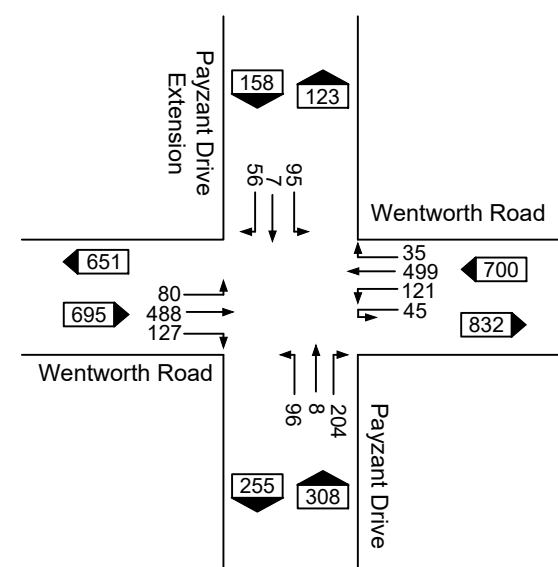
Scenario 3 (Roundabout):  
Projected 2030 Design Hourly Volumes with Payzant Drive Connector

**C**  
AM Peak Hour



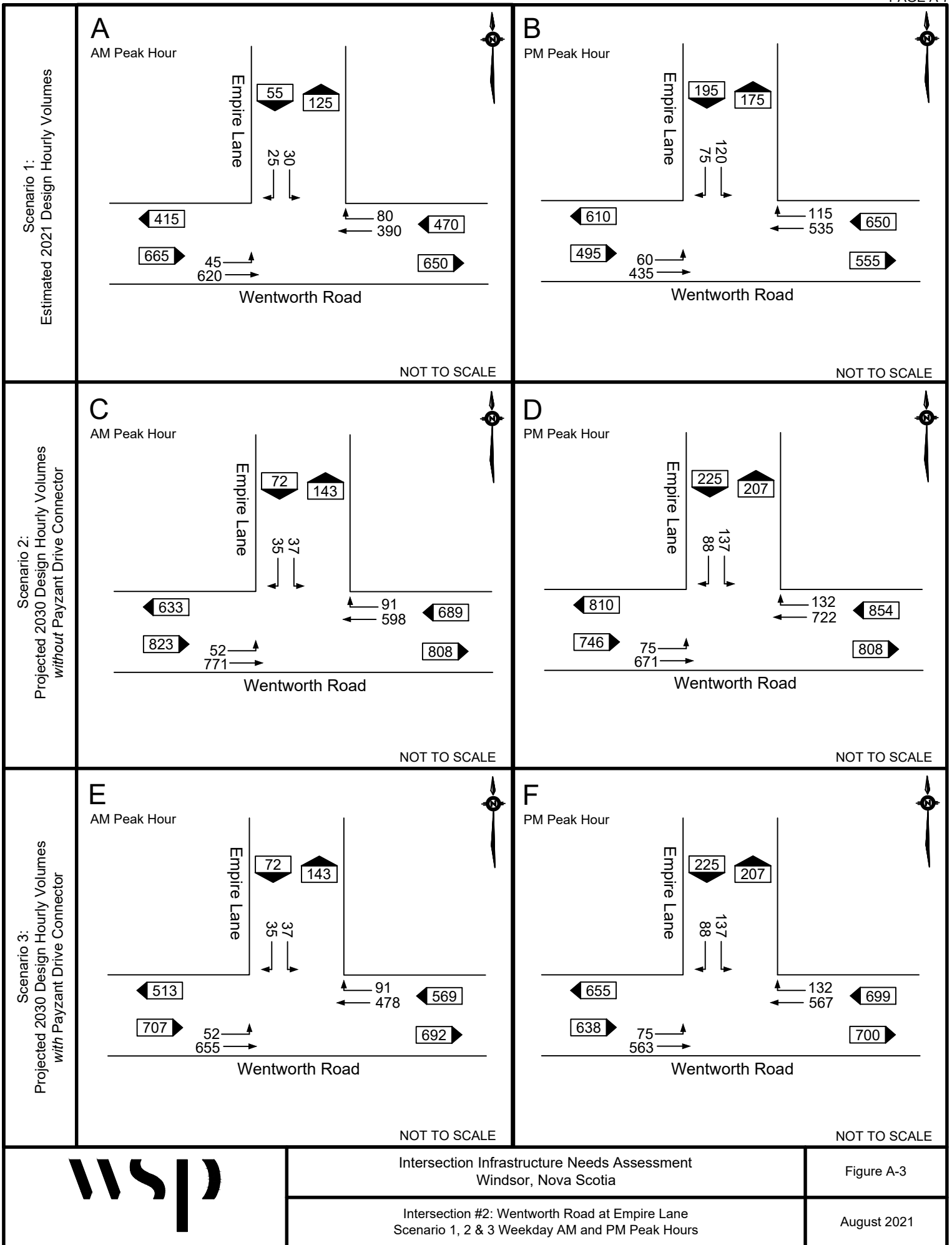
NOT TO SCALE

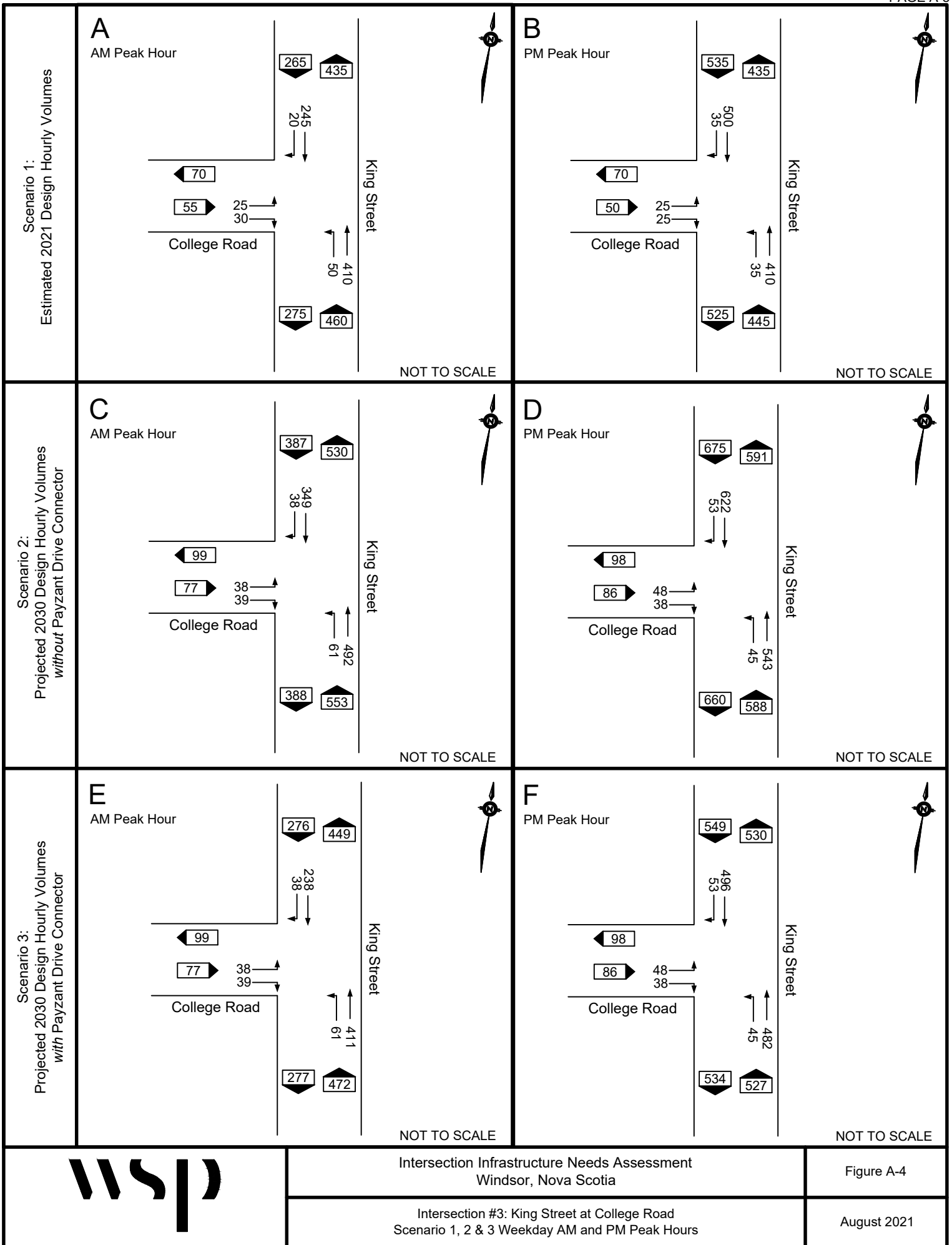
**D**  
PM Peak Hour



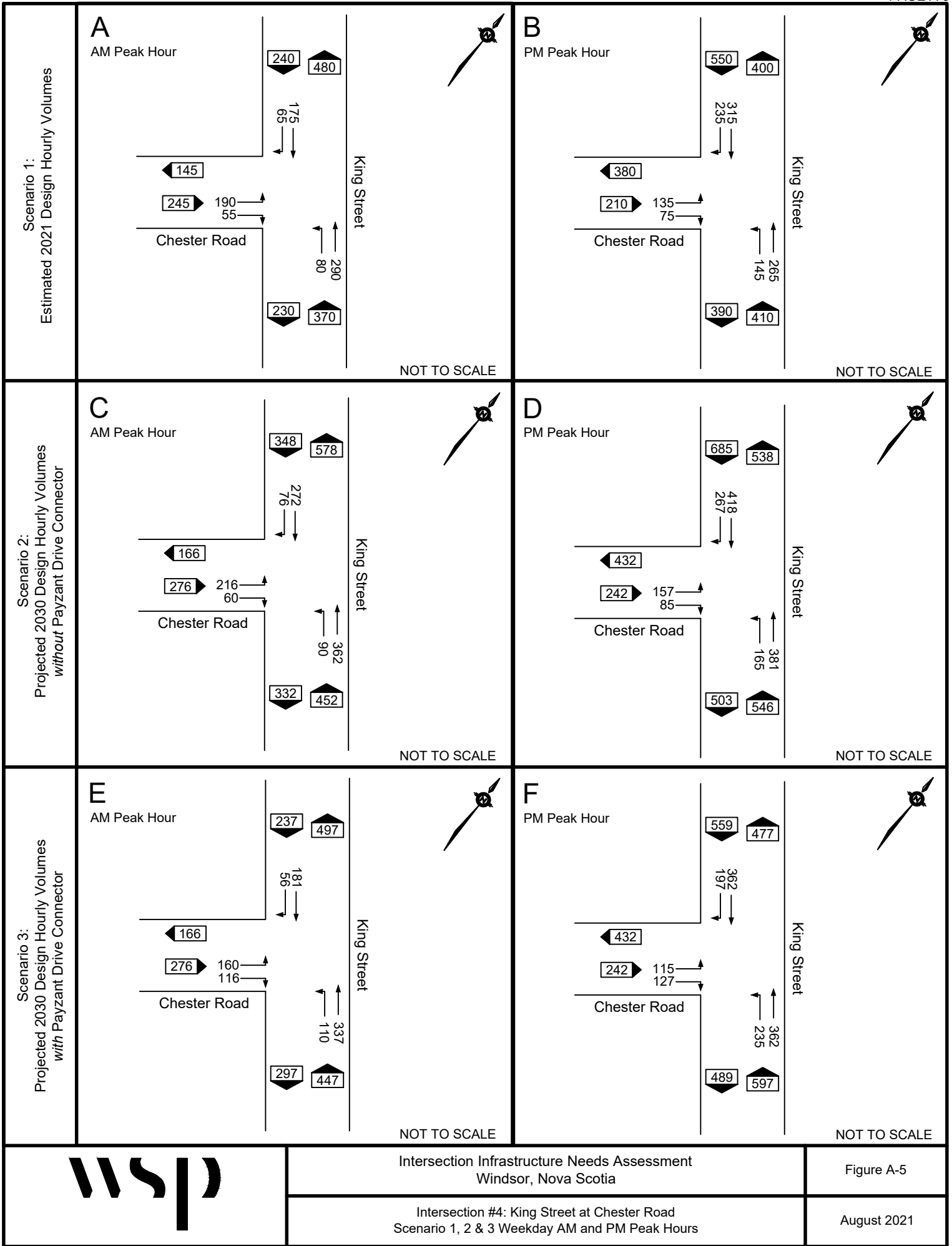
NOT TO SCALE



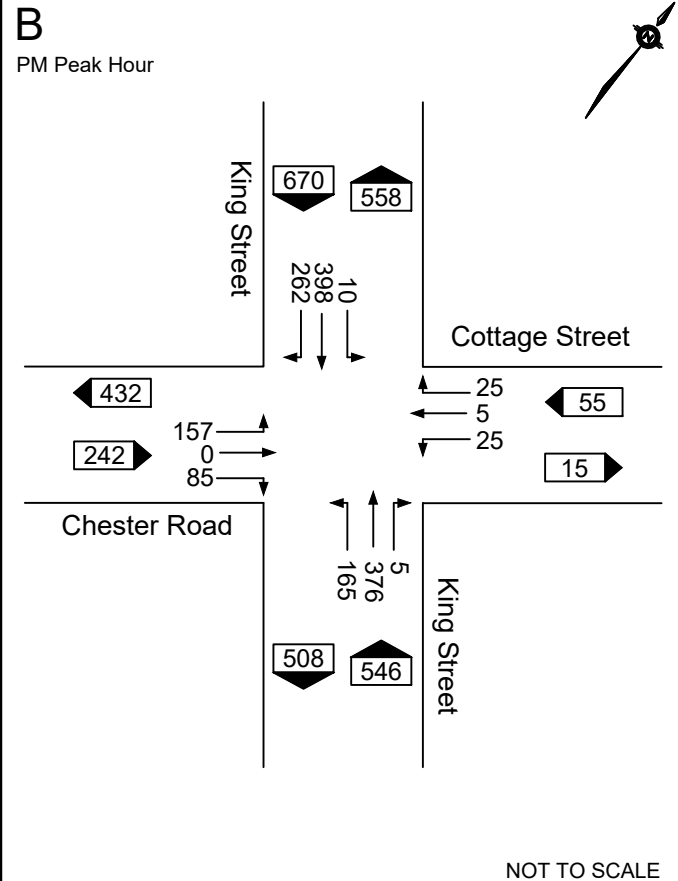
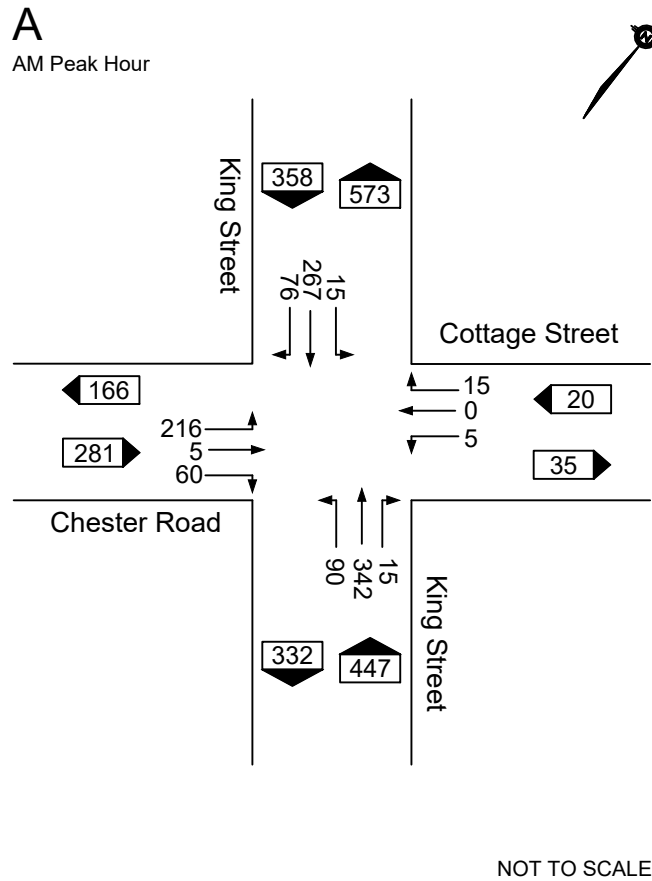




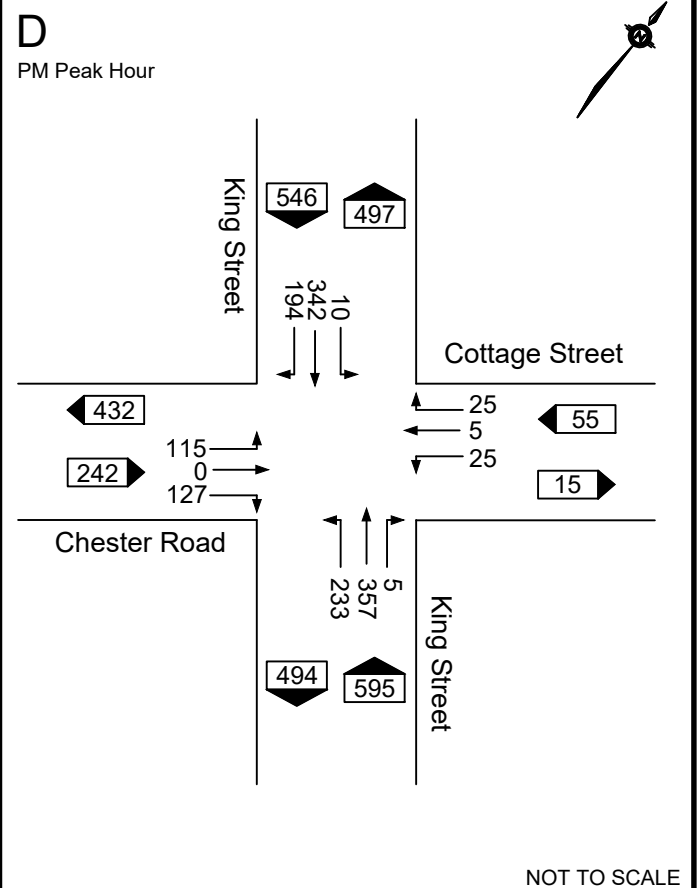
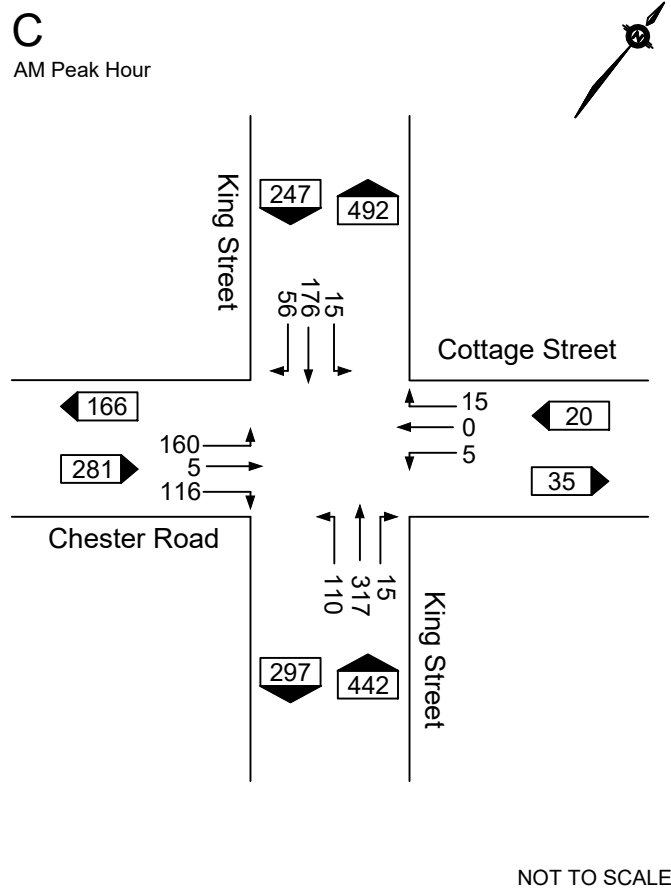




Scenario 2:  
Projected 2030 Design Hourly Volumes  
without Payzant Drive Connector



Scenario 3:  
Projected 2030 Design Hourly Volumes  
with Payzant Drive Connector



Intersection Infrastructure Needs Assessment  
Windsor, Nova Scotia

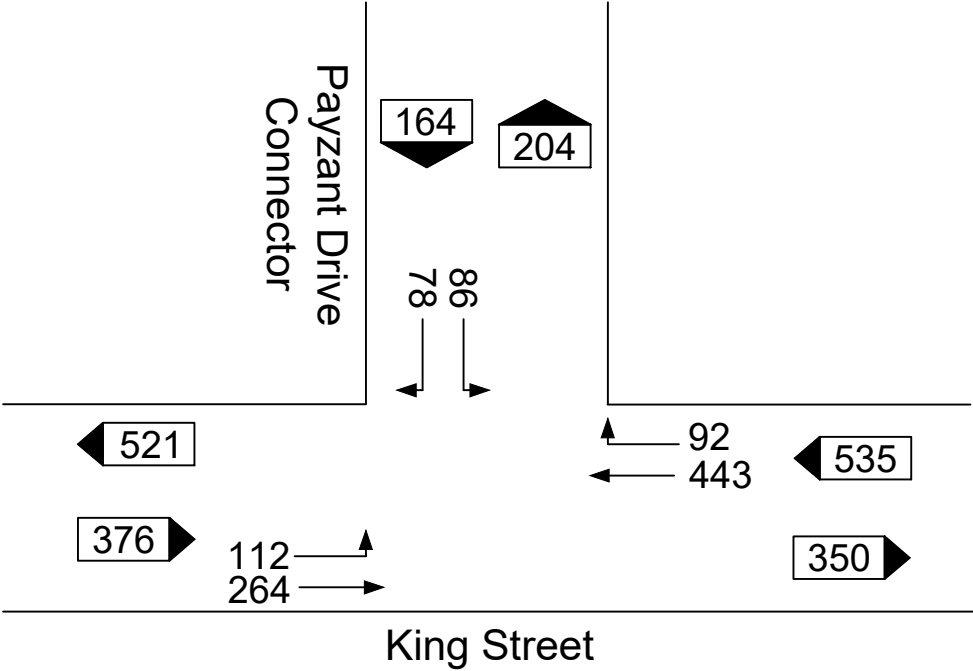
Intersection #4: King Street at Chester Road & Cottage Street  
Scenario 2 & 3 Weekday AM and PM Peak Hours

Figure A-6

August 2021

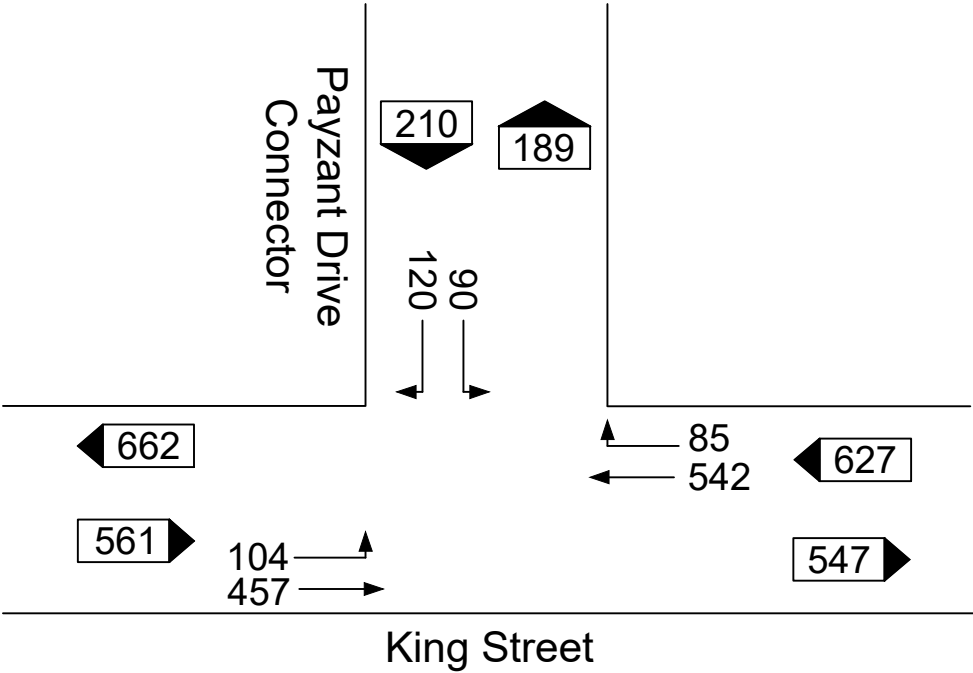
Scenario 3: Projected 2030 Design Hourly Volumes with Payzant Drive Connector

**A**  
AM Peak Hour



NOT TO SCALE

**B**  
PM Peak Hour



NOT TO SCALE



**Table A-5**  
**2020 COUNT PROGRAM**  
**Average Group Factors (2010 to 2019)**

G:/im/Asset.sys/censustm/counts/factors/fac10-19.xlw

Week Number	2020 Starting Date	AA Week Factor	A Week Factor	B Week Factor	C Week Factor	D Week Factor	E Week Factor	F Week Factor	G Week Factor	H Week Factor
1	30-Dec	1.27	1.60	1.79	1.62	1.83	2.44	2.57	3.19	3.74
2	06-Jan	1.03	1.16	1.34	1.37	1.47	1.60	1.79	2.22	2.82
3	13-Jan	1.04	1.17	1.36	1.40	1.45	1.59	1.75	2.42	2.91
4	20-Jan	1.02	1.13	1.31	1.34	1.44	1.52	1.77	2.36	2.85
5	27-Jan	1.02	1.20	1.34	1.36	1.52	1.59	1.86	2.39	2.91
6	03-Feb	1.06	1.19	1.31	1.36	1.45	1.60	1.86	2.56	2.97
7	10-Feb	0.99	1.16	1.27	1.33	1.41	1.53	1.74	2.26	2.78
8	17-Feb	1.00	1.19	1.33	1.32	1.52	1.52	1.73	2.32	3.10
9	24-Feb	1.01	1.11	1.22	1.25	1.31	1.43	1.62	2.09	2.65
10	02-Mar	1.00	1.16	1.24	1.26	1.41	1.55	1.67	2.25	2.57
11	09-Mar	1.00	1.11	1.14	1.21	1.17	1.42	1.49	1.99	2.53
12	16-Mar	0.98	1.11	1.20	1.24	1.16	1.55	1.61	2.15	2.63
13	23-Mar	1.02	1.12	1.20	1.24	1.28	1.54	1.65	2.11	2.47
14	30-Mar	1.00	1.08	1.15	1.23	1.24	1.53	1.65	2.23	2.34
15	06-Apr	1.01	1.08	1.10	1.31	1.11	1.42	1.50	2.01	2.11
16	13-Apr	0.99	1.03	1.06	1.12	1.06	1.30	1.42	1.87	1.94
17	20-Apr	1.00	1.01	1.04	1.15	1.04	1.25	1.35	1.78	1.72
18	27-Apr	1.00	0.98	1.02	1.08	1.03	1.18	1.24	1.59	1.24
19	04-May	0.98	0.96	1.00	1.05	1.01	1.12	1.20	1.44	0.97
20	11-May	0.99	0.96	0.97	0.99	0.97	0.97	1.10	1.25	0.92
21	18-May	1.00	0.96	0.98	0.96	0.93	0.97	0.98	1.10	0.87
22	25-May	1.01	0.93	0.94	0.94	0.92	0.95	0.97	1.09	0.87
23	01-Jun	0.99	0.93	0.94	0.94	0.92	0.94	0.98	1.07	0.86
24	08-Jun	0.98	0.93	0.93	0.93	0.93	0.93	0.90	0.90	0.78
25	15-Jun	0.98	0.92	0.90	0.89	0.90	0.84	0.82	0.81	0.72
26	22-Jun	0.99	0.92	0.90	0.87	0.87	0.79	0.77	0.72	0.65
27	29-Jun	1.02	0.89	0.88	0.81	0.81	0.70	0.66	0.61	0.53
28	06-Jul	0.99	0.89	0.84	0.77	0.77	0.66	0.64	0.54	0.50
29	13-Jul	1.00	0.87	0.84	0.75	0.74	0.67	0.60	0.51	0.50
30	20-Jul	1.00	0.89	0.83	0.74	0.71	0.62	0.58	0.48	0.47
31	27-Jul	1.01	0.89	0.81	0.71	0.69	0.58	0.55	0.43	0.46
32	03-Aug	1.04	0.88	0.79	0.69	0.71	0.57	0.52	0.41	0.43
33	10-Aug	1.01	0.87	0.78	0.72	0.73	0.61	0.55	0.44	0.45
34	17-Aug	0.99	0.84	0.77	0.74	0.74	0.63	0.56	0.46	0.47
35	24-Aug	1.00	0.88	0.80	0.74	0.74	0.66	0.62	0.51	0.51
36	31-Aug	1.02	0.90	0.85	0.80	0.80	0.73	0.68	0.60	0.61
37	07-Sep	1.00	0.95	0.89	0.87	0.87	0.80	0.75	0.69	0.64
38	14-Sep	0.98	0.94	0.89	0.89	0.93	0.85	0.79	0.67	0.65
39	21-Sep	0.98	0.93	0.89	0.89	0.93	0.87	0.78	0.72	0.71
40	28-Sep	0.99	0.94	0.91	0.91	0.98	0.89	0.80	0.75	0.83
41	05-Oct	1.00	0.93	0.89	0.85	0.92	0.91	0.73	0.64	0.86
42	12-Oct	1.00	0.97	0.93	0.91	0.94	0.96	0.76	0.72	0.99
43	19-Oct	0.97	0.96	0.95	0.97	1.02	1.04	1.00	1.05	1.19
44	26-Oct	0.97	1.00	1.00	1.03	1.05	1.11	1.17	1.36	1.34
45	02-Nov	0.96	1.04	1.03	1.09	1.09	1.17	1.30	1.57	1.40
46	09-Nov	1.00	1.08	1.04	1.10	1.09	1.27	1.36	1.70	1.41
47	16-Nov	0.97	1.04	1.04	1.09	1.11	1.26	1.35	1.72	1.51
48	23-Nov	0.98	1.05	1.07	1.15	1.15	1.31	1.40	1.77	1.61
49	30-Nov	0.97	1.07	1.08	1.18	1.09	1.30	1.42	1.85	1.65
50	07-Dec	0.99	1.04	1.10	1.17	1.14	1.33	1.47	1.88	1.68
51	14-Dec	1.00	1.06	1.16	1.21	1.19	1.36	1.51	1.91	1.92
52	21-Dec	1.25	1.16	1.24	1.21	1.11	1.60	1.71	2.07	2.54
53	28-Dec	1.35	1.79	1.65	1.88	1.35	1.64	1.90	3.32	3.17

# APPENDIX

## B

### WARRANT ANALYSIS



# 2005 Canadian Traffic Signal Warrant Matrix Analysis

Table B-1 - Wentworth Road at Payzant Drive / Driveway

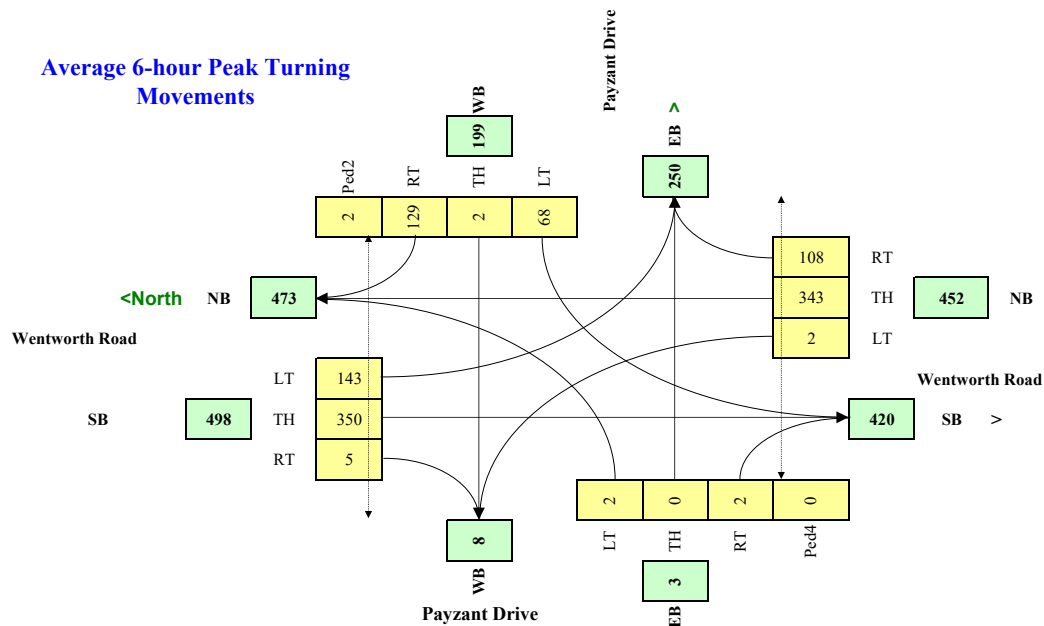
Scenario 1 - 2021 Existing Conditions

Main Street (name)		Wentworth Road		Direction (EW or NS)		NS	Date:		August 2021	
Side Street (name)		Payzant Drive		Direction (EW or NS)		EW	City:		Windsor, NS	
Lane Configuration			Excl LT	Th & LT	Through or Th+RT+LT	Th & RT	Excl RT	UpStream Signal (m)	# of Thru Lanes	
Wentworth Road		NB	1			1		450	1	
Wentworth Road		SB	1			1		680	1	
Payzant Drive		WB	1			1				
Driveway		EB			1					
Other input			Speed (Km/h)	Trucks %	Bus Rt (y/n)	Median (m)				
Wentworth Road		NS	50	2.0%	n	0.0				
Payzant Drive		EW	50	2.0%	n					

	Ped3 NS W Side	Ped1 NS E Side	Ped2 EW N Side	Ped4 EW S Side
7:00 - 8:00	1	4	0	0
8:00 - 9:00	5	5	3	0
11:30 - 12:30	6	4	1	0
12:30 - 13:30	3	3	1	0
15:30 - 16:30	5	2	5	0
16:30 - 17:30	2	1	0	0
Total (6-hour peak)	22	19	10	0
Average (6-hour peak)	4	3	2	0

Demographics		
Elementary School	(y/n)	n
Senior's Complex	(y/n)	n
Pathway to School	(y/n)	n
Metro Area Population	(#)	16,000
Central Business District	(y/n)	n

Traffic Input	NB			SB			WB			EB		
	LT	Th	RT	LT	Th	RT	LT	Th	RT	LT	Th	RT
7:00 - 8:00	0	395	230	295	420	5	65	0	170	0	0	0
8:00 - 9:00	0	295	175	220	315	5	50	0	130	0	0	0
11:30 - 12:30	0	225	70	95	230	5	45	0	85	0	0	0
12:30 - 13:30	0	225	70	95	230	5	45	0	85	0	0	0
15:30 - 16:30	5	420	45	70	415	5	95	5	140	5	0	5
16:30 - 17:30	5	495	55	80	490	5	110	5	165	5	0	5
Total (6-hour peak)	10	2,055	645	855	2,100	30	410	10	775	10	0	10
Average (6-hour peak)	2	343	108	143	350	5	68	2	129	2	0	2



$$W = [C_{bt}(X_{v-v}) / K_1 + (F(X_{v-p}) L) / K_2] \times C_i$$

W =	82	81	1
		Veh	Ped
NOT Warranted			

## 2005 Canadian Traffic Signal Warrant Matrix Analysis

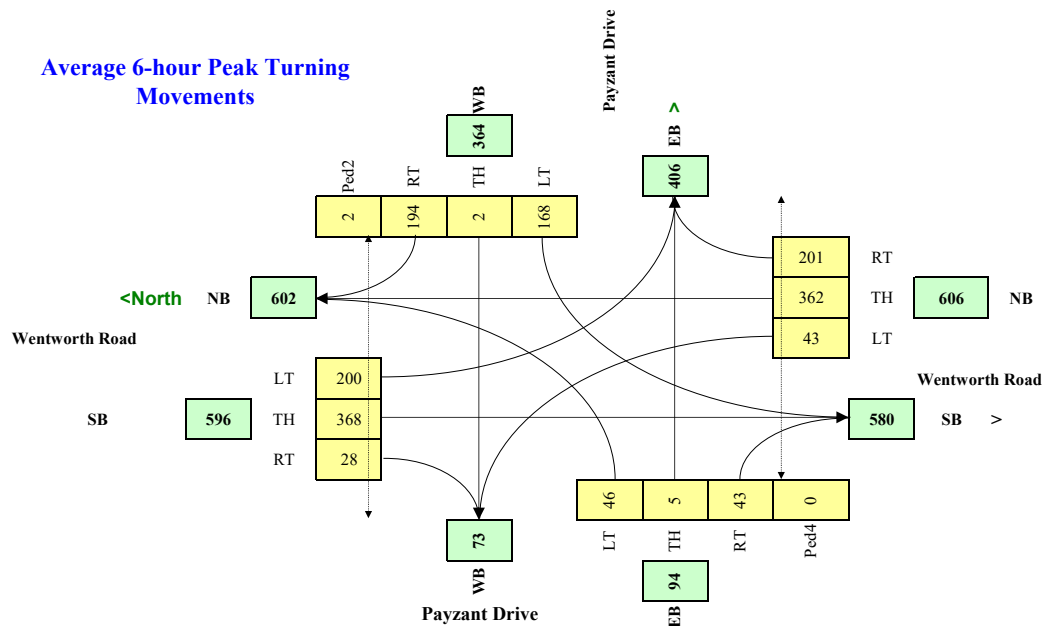
Table B-2 - Wentworth Road at Payzant Drive  
Scenario 2 - 2030 Without Payzant Drive Connector Open

Main Street (name)		Wentworth Road		Direction (EW or NS)		NS	Date:		August 2021	
Side Street (name)		Payzant Drive		Direction (EW or NS)		EW	City:		Windsor, NS	
Lane Configuration			Excl LT	Th & LT	Through or Th+RT+LT	Th & RT	Excl RT	UpStream Signal (m)	# of Thru Lanes	
Wentworth Road		NB	1			1		450	1	
Wentworth Road		SB	1			1		680	1	
Payzant Drive		WB	1			1				
Payzant Drive		EB	1			1				
Other input			Speed (Km/h)	Trucks %	Bus Rt (y/n)	Median (m)				
Wentworth Road		NS	50	2.0%	n	0.0				
Payzant Drive		EW	50	2.0%	n					

	Ped3	Ped1	Ped2	Ped4
	NS	NS	EW	EW
	W Side	E Side	N Side	S side
7:00 - 8:00	1	4	0	0
8:00 - 9:00	5	5	3	0
11:30 - 12:30	6	4	1	0
12:30 - 13:30	3	3	1	0
15:30 - 16:30	5	2	5	0
16:30 - 17:30	2	1	0	0
Total (6-hour peak)	22	19	10	0
Average (6-hour peak)	4	3	2	0

Demographics		
Elementary School	(y/n)	n
Senior's Complex	(y/n)	n
Pathway to School	(y/n)	n
Metro Area Population	(#)	16,000
Central Business District	(y/n)	n

Traffic Input	NB			SB			WB			EB		
	LT	Th	RT	LT	Th	RT	LT	Th	RT	LT	Th	RT
7:00 - 8:00	60	405	310	355	450	35	215	0	270	35	5	40
8:00 - 9:00	45	305	235	270	335	25	160	0	205	25	5	30
11:30 - 12:30	30	235	130	130	240	20	110	0	125	30	5	30
12:30 - 13:30	30	235	130	130	240	20	110	0	125	30	5	30
15:30 - 16:30	45	455	185	145	435	30	190	5	200	70	5	60
16:30 - 17:30	50	535	215	170	510	35	225	5	240	85	5	70
Total (6-hour peak)	260	2,170	1,205	1,200	2,210	165	1,010	10	1,165	275	30	260
Average (6-hour peak)	43	362	201	200	368	28	168	2	194	46	5	43



$$W = [C_{bt}(X_{v-v}) / K_1 + (F(X_{v-p}) L) / K_2] \times C_i$$

W = 229      227      2  
Veh      Ped

**Warranted**

## 2005 Canadian Traffic Signal Warrant Matrix Analysis

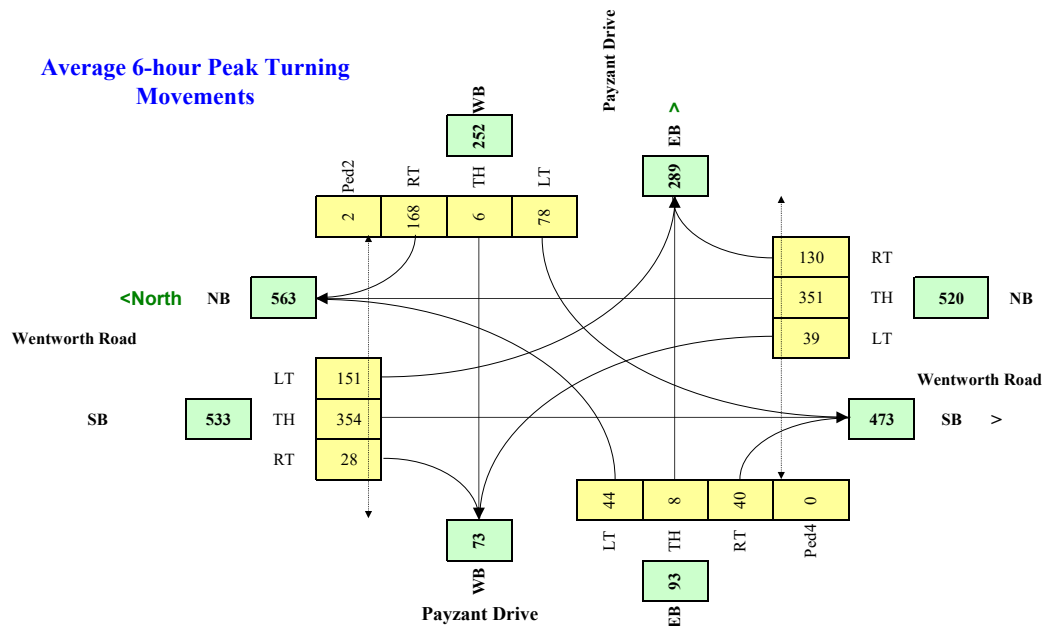
**Table B-3 - Wentworth Road at Payzant Drive**  
**Scenario 3 - 2030 With Payzant Drive Connector Open**

Main Street (name)	Wentworth Road			Direction (EW or NS)		NS	Date:		August 2021
Side Street (name)	Payzant Drive			Direction (EW or NS)		EW	City:		Windsor, NS
Lane Configuration		Excl LT	Th & LT	Through or Th+RT+LT	Th & RT	Excl RT	UpStream Signal (m)	# of Thru Lanes	
Wentworth Road	NB	1			1		450	1	
Wentworth Road	SB	1			1		680	1	
Payzant Drive	WB	1			1				
Payzant Drive	EB	1			1				
Other input		Speed (Km/h)	Trucks %	Bus Rt (y/n)	Median (m)				
Wentworth Road	NS	50	2.0%	n	0.0				
Payzant Drive	EW	50	2.0%	n					

	Ped3	Ped1	Ped2	Ped4
	NS	NS	EW	EW
	W Side	E Side	N Side	S side
7:00 - 8:00	1	4	0	0
8:00 - 9:00	5	5	3	0
11:30 - 12:30	6	4	1	0
12:30 - 13:30	3	3	1	0
15:30 - 16:30	5	2	5	0
16:30 - 17:30	2	1	0	0
Total (6-hour peak)	22	19	10	0
Average (6-hour peak)	4	3	2	0

Demographics		
Elementary School	(y/n)	n
Senior's Complex	(y/n)	n
Pathway to School	(y/n)	n
Metro Area Population	(#)	16,000
Central Business District	(y/n)	n

Traffic Input	NB			SB			WB			EB		
	LT	Th	RT	LT	Th	RT	LT	Th	RT	LT	Th	RT
7:00 - 8:00	55	390	215	285	435	35	110	5	230	30	10	40
8:00 - 9:00	40	295	160	215	325	25	85	5	175	25	10	30
11:30 - 12:30	25	230	85	100	230	20	50	5	110	30	5	25
12:30 - 13:30	25	230	85	100	230	20	50	5	110	30	5	25
15:30 - 16:30	40	440	110	95	415	30	80	5	175	70	10	55
16:30 - 17:30	50	520	125	110	490	35	95	10	205	80	10	65
Total (6-hour peak)	235	2,105	780	905	2,125	165	470	35	1,005	265	50	240
Average (6-hour peak)	39	351	130	151	354	28	78	6	168	44	8	40



$$W = [C_{bt}(X_{v-v}) / K_1 + (F(X_{v-p}) L) / K_2] \times C_i$$

W = 145      143      2  
                  Veh      Ped  
**Warranted**



## 2005 Canadian Traffic Signal Warrant Matrix Analysis

Table B-4 - Wentworth Road at Empire Lane  
Scenario 1 - 2021 Existing Conditions

Main Street (name)	Wentworth Road	Direction (EW or NS)	NS	Date:	August 2021
Side Street (name)	Empire Lane	Direction (EW or NS)	EW	City:	Windsor, NS

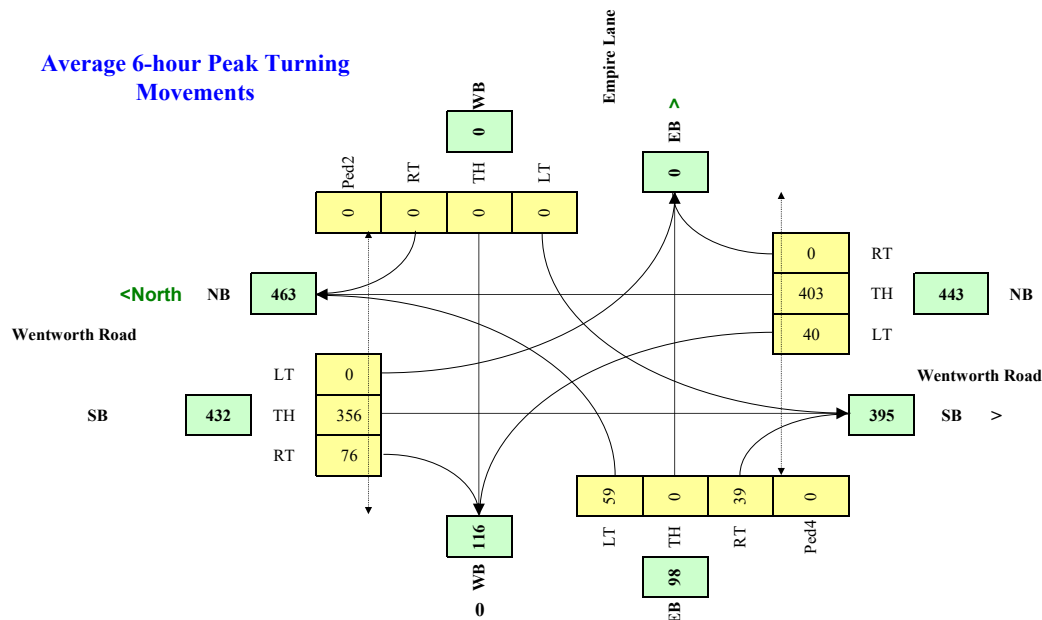
Lane Configuration		Excl LT	Th & LT	Through or Th+RT+LT	Th & RT	Excl RT	UpStream Signal (m)	# of Thru Lanes	
Wentworth Road	NB	1		1			850	1	
Wentworth Road	SB				1		300	1	
Empire Lane	EB	1				1			

Other input		Speed (Km/h)	Trucks %	Bus Rt (y/n)	Median (m)
Wentworth Road	NS	50	2.0%	n	0.0
Empire Lane	EW	50	2.0%	n	

	Ped3 NS W Side	Ped1 NS E Side	Ped2 EW N Side	Ped4 EW S Side
7:00 - 8:00	1	0	0	0
8:00 - 9:00	4	0	0	0
11:30 - 12:30	5	0	0	0
12:30 - 13:30	4	0	0	0
15:30 - 16:30	6	0	0	0
16:30 - 17:30	1	0	1	0
Total (6-hour peak)	21	0	1	0
Average (6-hour peak)	4	0	0	0

Demographics		
Elementary School	(y/n)	n
Senior's Complex	(y/n)	n
Pathway to School	(y/n)	n
Metro Area Population (#)		16,000
Central Business District	(y/n)	n

Traffic Input	NB			SB			WB			EB		
	LT	Th	RT	LT	Th	RT	LT	Th	RT	LT	Th	RT
7:00 - 8:00	45	620	0	0	390	80	0	0	0	30	0	25
8:00 - 9:00	35	465	0	0	295	60	0	0	0	25	0	20
11:30 - 12:30	25	265	0	0	230	50	0	0	0	40	0	25
12:30 - 13:30	25	265	0	0	230	50	0	0	0	40	0	25
15:30 - 16:30	50	370	0	0	455	100	0	0	0	100	0	65
16:30 - 17:30	60	435	0	0	535	115	0	0	0	120	0	75
Total (6-hour peak)	240	2,420	0	0	2,135	455	0	0	0	355	0	235
Average (6-hour peak)	40	403	0	0	356	76	0	0	0	59	0	39



$$W = [C_{bt}(X_{v-v}) / K_1 + (F(X_{v-p}) L) / K_2] \times C_i$$

W = 37 Veh 37 Ped 0

**NOT Warranted**

## 2005 Canadian Traffic Signal Warrant Matrix Analysis

**Table B-5 - Wentworth Road at Empire Lane  
Scenario 2 - 2030 Without Payzant Drive Connector Open**

Main Street (name)	Wentworth Road	Direction (EW or NS)	NS	Date:	August 2021
Side Street (name)	Empire Lane	Direction (EW or NS)	EW	City:	Windsor, NS

Lane Configuration		Excl LT	Th & LT	Through or Th+RT+LT	Th & RT	Excl RT	UpStream Signal (m)	# of Thru Lanes	
Wentworth Road	NB	1		1			850	1	
Wentworth Road	SB				1		300	1	
Empire Lane	EB	1				1			

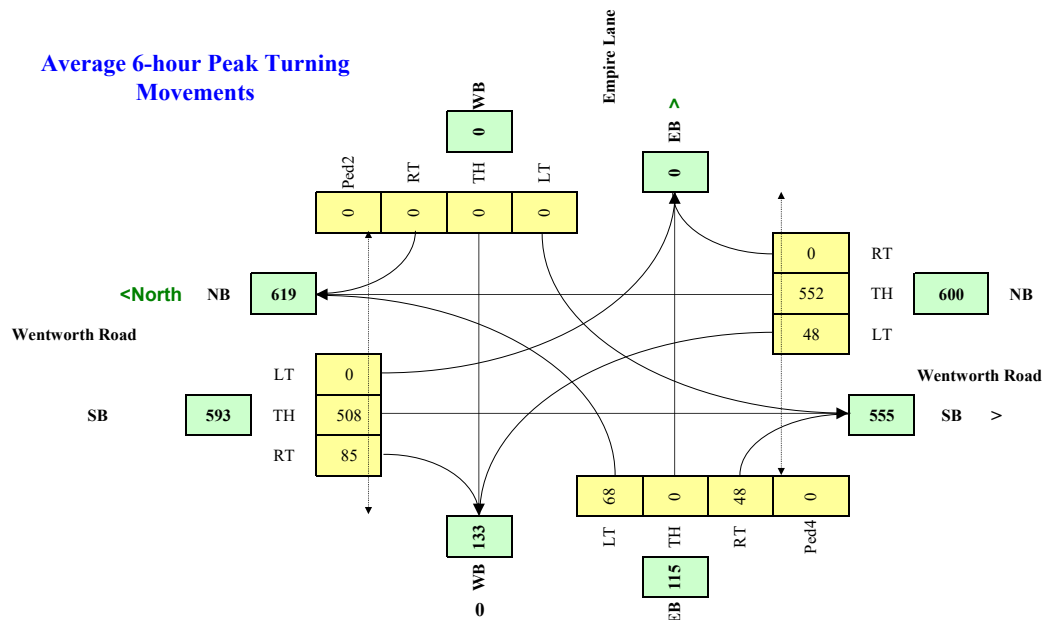
  

Other input		Speed (Km/h)	Trucks %	Bus Rt (y/n)	Median (m)
Wentworth Road	NS	50	2.0%	n	0.0
Empire Lane	EW	50	2.0%	n	

	Ped3 NS W Side	Ped1 NS E Side	Ped2 EW N Side	Ped4 EW S Side
7:00 - 8:00	1	0	0	0
8:00 - 9:00	4	0	0	0
11:30 - 12:30	5	0	0	0
12:30 - 13:30	4	0	0	0
15:30 - 16:30	6	0	0	0
16:30 - 17:30	1	0	1	0
<b>Total (6-hour peak)</b>	<b>21</b>	<b>0</b>	<b>1</b>	<b>0</b>
<b>Average (6-hour peak)</b>	<b>4</b>	<b>0</b>	<b>0</b>	<b>0</b>

Demographics		
Elementary School	(y/n)	n
Senior's Complex	(y/n)	n
Pathway to School	(y/n)	n
Metro Area Population	(#)	16,000
Central Business District	(y/n)	n

Traffic Input	NB			SB			WB			EB		
	LT	Th	RT	LT	Th	RT	LT	Th	RT	LT	Th	RT
7:00 - 8:00	50	770	0	0	600	90	0	0	0	35	0	35
8:00 - 9:00	40	580	0	0	450	70	0	0	0	30	0	25
11:30 - 12:30	30	360	0	0	330	55	0	0	0	45	0	30
12:30 - 13:30	30	360	0	0	330	55	0	0	0	45	0	30
15:30 - 16:30	65	570	0	0	615	110	0	0	0	115	0	75
16:30 - 17:30	75	670	0	0	720	130	0	0	0	135	0	90
<b>Total (6-hour peak)</b>	<b>290</b>	<b>3,310</b>	<b>0</b>	<b>0</b>	<b>3,045</b>	<b>510</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>405</b>	<b>0</b>	<b>285</b>
<b>Average (6-hour peak)</b>	<b>48</b>	<b>552</b>	<b>0</b>	<b>0</b>	<b>508</b>	<b>85</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>68</b>	<b>0</b>	<b>48</b>



$$W = [C_{bt}(X_{v-v}) / K_1 + (F(X_{v-p}) L) / K_2] \times C_i$$

$W =$ 
62
62
0  
Veh
Ped  
**NOT Warranted**

## 2005 Canadian Traffic Signal Warrant Matrix Analysis

**Table B-6 - Wentworth Road at Empire Lane  
Scenario 3 - 2030 With Payzant Drive Connector Open**

Main Street (name)	Wentworth Road		Direction (EW or NS)		NS	Date:	August 2021
Side Street (name)	Empire Lane		Direction (EW or NS)		EW		City:

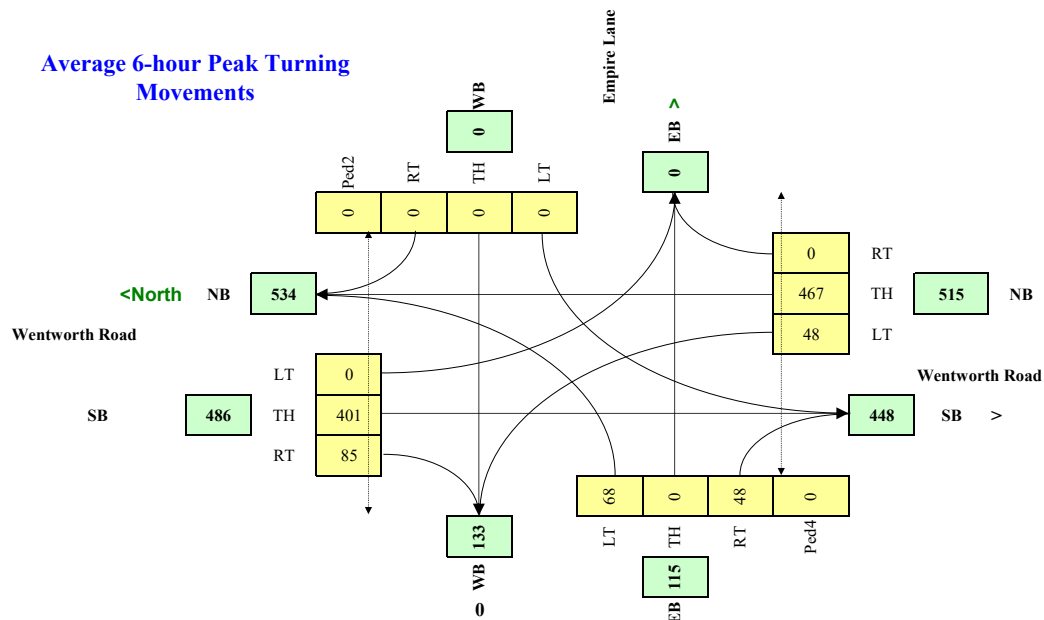
Lane Configuration		Excl LT	Th & LT	Through or Th+RT+LT	Th & RT	Excl RT	UpStream Signal (m)	# of Thru Lanes	
Wentworth Road	NB	1		1			850	1	
Wentworth Road	SB				1		300	1	
	WB								
Empire Lane	EB	1				1			

Other input		Speed (Km/h)	Trucks %	Bus Rt (y/n)	Median (m)
Wentworth Road	NS	50	2.0%	n	0.0
Empire Lane	EW	50	2.0%	n	

	Ped3	Ped1	Ped2	Ped4
	NS	NS	EW	EW
	W Side	E Side	N Side	S Side
7:00 - 8:00	1	0	0	0
8:00 - 9:00	4	0	0	0
11:30 - 12:30	5	0	0	0
12:30 - 13:30	4	0	0	0
15:30 - 16:30	6	0	0	0
16:30 - 17:30	1	0	1	0
Total (6-hour peak)	21	0	1	0
Average (6-hour peak)	4	0	0	0

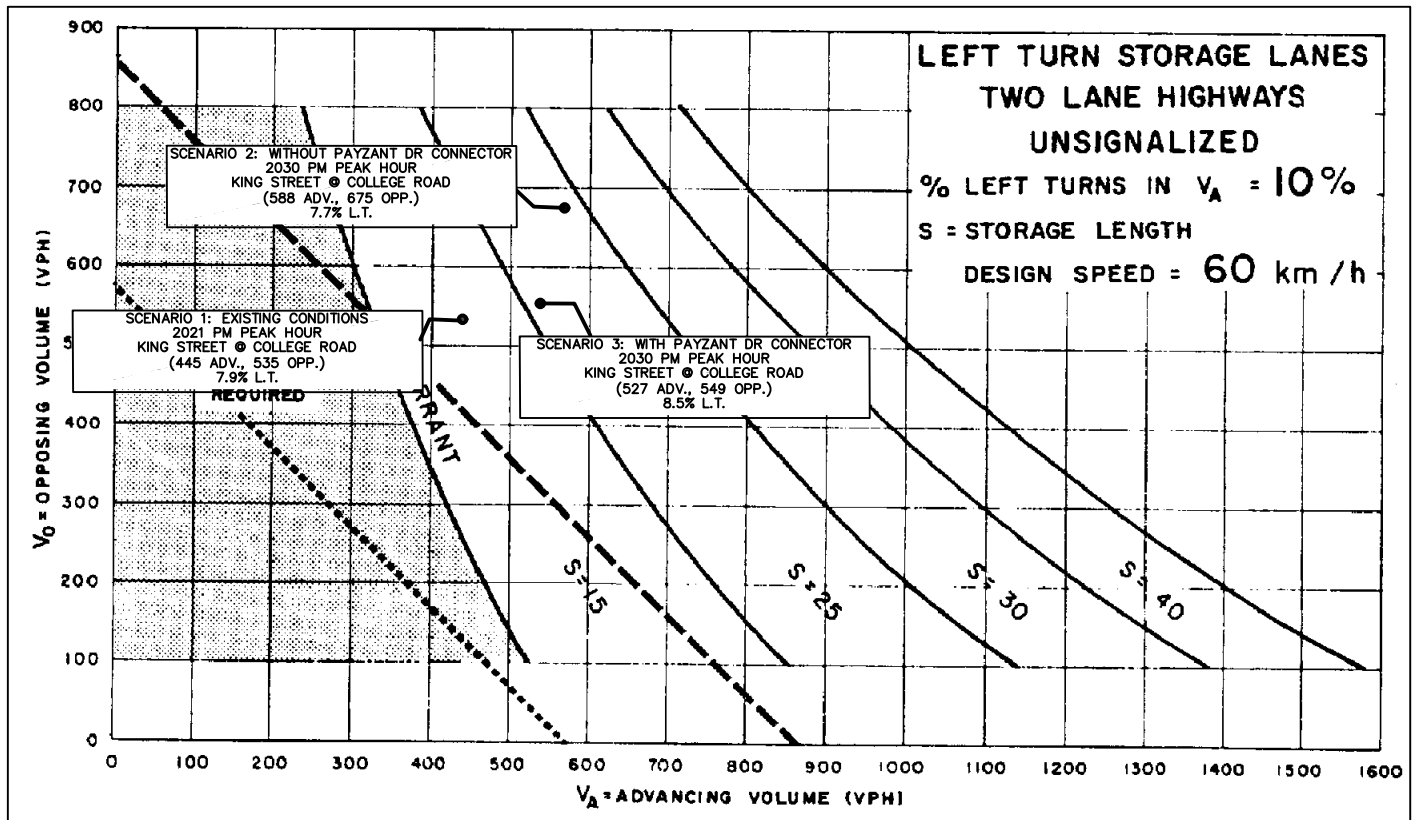
Demographics		
Elementary School	(y/n)	n
Senior's Complex	(y/n)	n
Pathway to School	(y/n)	n
Metro Area Population	(#)	16,000
Central Business District	(y/n)	n

Traffic Input	NB			SB			WB			EB		
	LT	Th	RT	LT	Th	RT	LT	Th	RT	LT	Th	RT
7:00 - 8:00	50	655	0	0	480	90	0	0	0	35	0	35
8:00 - 9:00	40	490	0	0	360	70	0	0	0	30	0	25
11:30 - 12:30	30	305	0	0	260	55	0	0	0	45	0	30
12:30 - 13:30	30	305	0	0	260	55	0	0	0	45	0	30
15:30 - 16:30	65	480	0	0	480	110	0	0	0	115	0	75
16:30 - 17:30	75	565	0	0	565	130	0	0	0	135	0	90
Total (6-hour peak)	290	2,800	0	0	2,405	510	0	0	0	405	0	285
Average (6-hour peak)	48	467	0	0	401	85	0	0	0	68	0	48



$$W = [C_{bt}(X_{v-v}) / K_1 + (F(X_{v-p}) L) / K_2] \times C_i$$

W = 50      50      0  
          Veh      Ped  
**NOT Warranted**



Intersection Infrastructure Needs Assessment  
Windsor, NS

Figure B-1

Left Turn Lane Warrants  
Intersection #3: King Street at College Road  
AM and PM Peak Hours

August 2021

## 2005 Canadian Traffic Signal Warrant Matrix Analysis

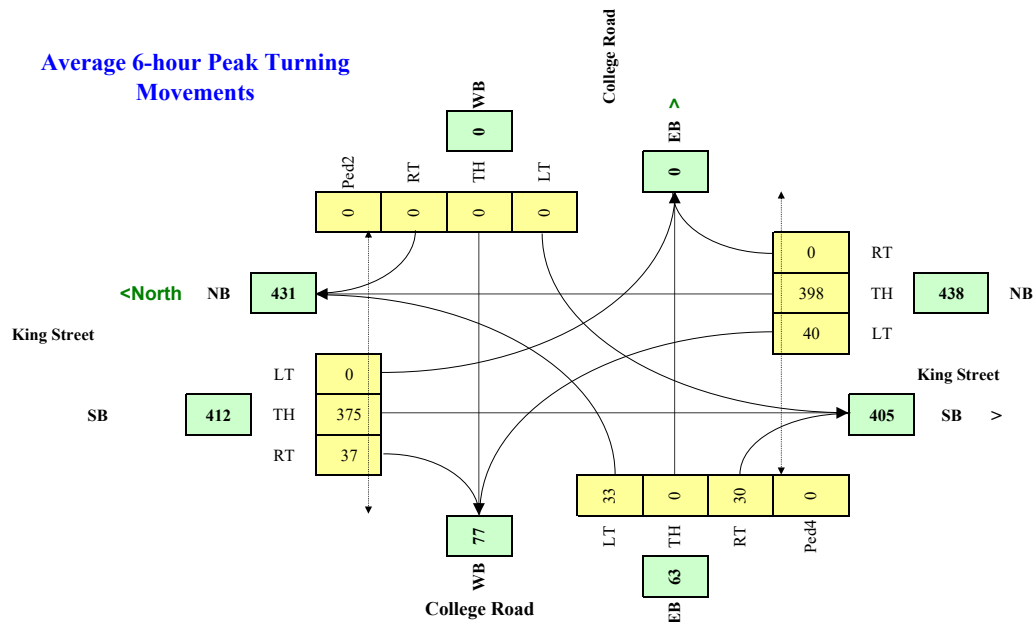
Table B-8 - King Street at College Road  
Scenario 2 - 2030 Without Payzant Drive Connector Open

Main Street (name)		King Street			Direction (EW or NS)		NS	Date: August 2021		
Side Street (name)		College Road			Direction (EW or NS)		EW			
Lane Configuration			Excl LT	Th & LT	Through or Th+RT+LT	Th & RT	Excl RT	UpStream Signal (m)	# of Thru Lanes	
King Street		NB	1		1			999	1	
King Street		SB				1		999	1	
		WB								
College Road		EB			1					
Other input			Speed (Km/h)	Trucks %	Bus Rt (y/n)	Median (m)				
King Street		NS	50	2.0%	n	0.0				
College Road		EW	50	2.0%	n					

	Ped3 NS W Side	Ped1 NS E Side	Ped2 EW N Side	Ped4 EW S side
7:00 - 8:00	0	0	0	0
8:00 - 9:00	0	1	0	0
11:30 - 12:30	0	3	0	0
12:30 - 13:30	0	1	0	0
15:30 - 16:30	0	2	0	0
16:30 - 17:30	0	1	0	0
Total (6-hour peak)	0	8	0	0
Average (6-hour peak)	0	1	0	0

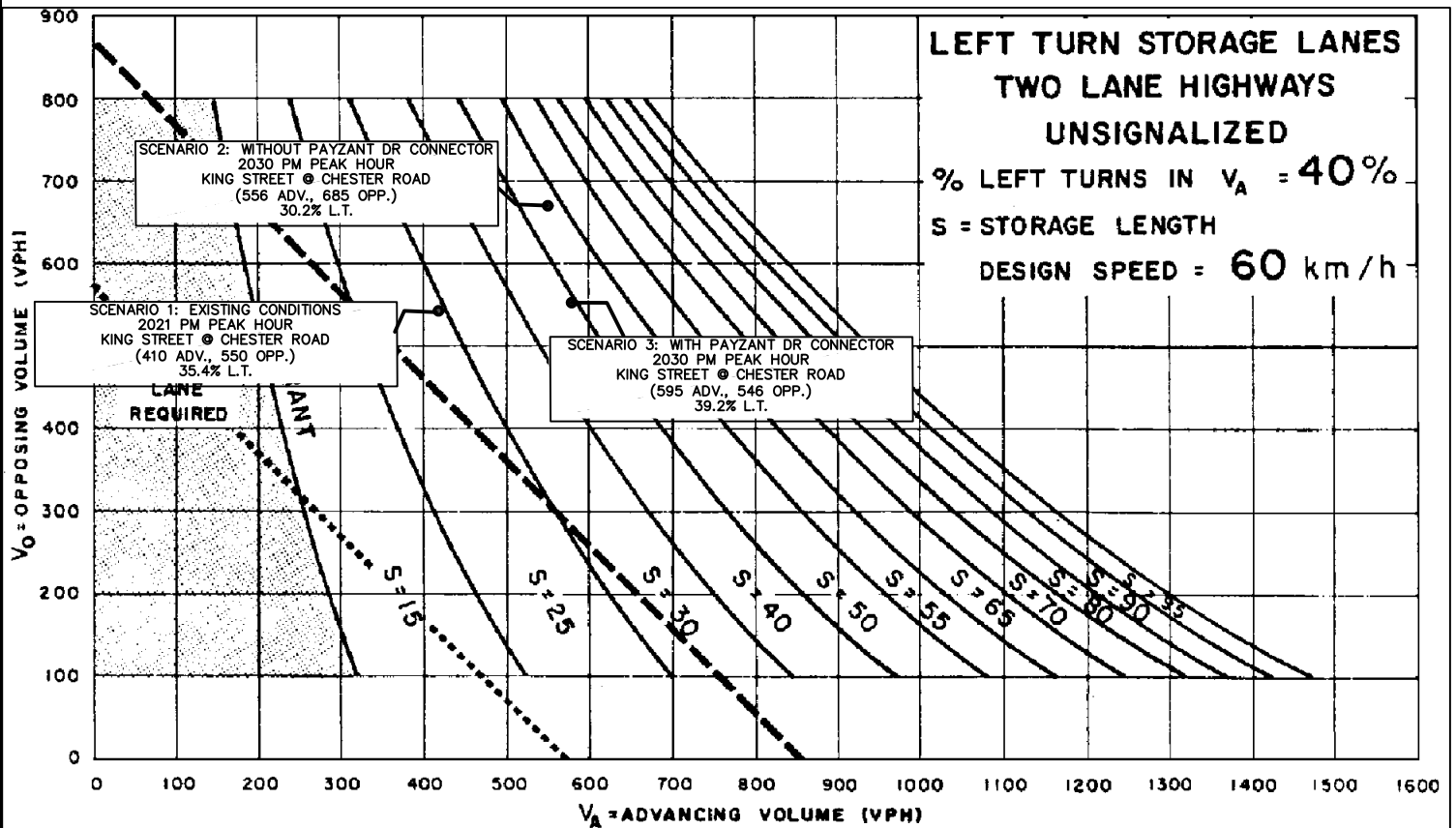
Demographics		
Elementary School	(y/n)	n
Senior's Complex	(y/n)	n
Pathway to School	(y/n)	n
Metro Area Population (#)		16,000
Central Business District	(y/n)	n

Traffic Input	NB			SB			WB			EB		
	LT	Th	RT	LT	Th	RT	LT	Th	RT	LT	Th	RT
7:00 - 8:00	60	490	0	0	350	40	0	0	0	40	0	40
8:00 - 9:00	45	370	0	0	260	30	0	0	0	30	0	30
11:30 - 12:30	25	260	0	0	245	25	0	0	0	20	0	20
12:30 - 13:30	25	260	0	0	245	25	0	0	0	20	0	20
15:30 - 16:30	40	460	0	0	530	45	0	0	0	40	0	30
16:30 - 17:30	45	545	0	0	620	55	0	0	0	50	0	40
Total (6-hour peak)	240	2,385	0	0	2,250	220	0	0	0	200	0	180
Average (6-hour peak)	40	398	0	0	375	37	0	0	0	33	0	30



$$W = [C_{bt}(X_{v-v}) / K_1 + (F(X_{v-p}) L) / K_2] \times C_i$$

W = 29 Veh 29 Ped 0  
Not Warranted -  $V_s < 75$



4-LEG INTERSECTION



Intersection Infrastructure Needs Assessment  
Windsor, NS

Figure B-2

Left Turn Lane Warrants  
Intersection #4: King Street at Chester Road  
AM and PM Peak Hours

August 2021

## 2005 Canadian Traffic Signal Warrant Matrix Analysis

**Table B-10 - King Street at Chester Road**  
**Scenario 2 - 2030 Without Payzant Drive Connector Open**

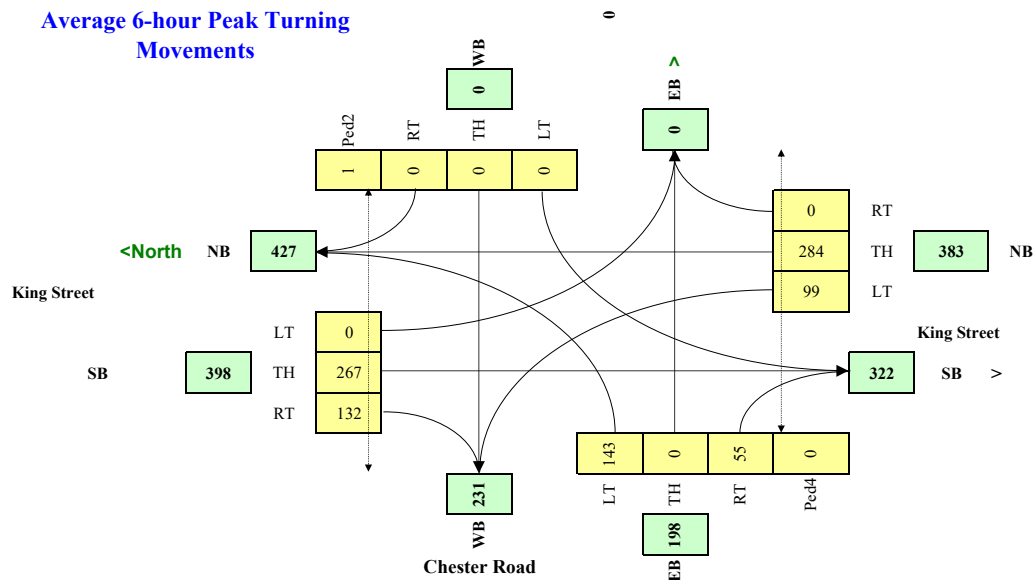
<b>Main Street (name)</b>	<b>King Street</b>		<b>Direction (EW or NS)</b>		<b>NS</b>	<b>Date:</b>	<b>August 2021</b>	
<b>Side Street (name)</b>	<b>Chester Road</b>		<b>Direction (EW or NS)</b>		<b>EW</b>		<b>City:</b>	<b>Windsor, NS</b>
<b>Lane Configuration</b>		Excl LT	Th & LT	Through or Th+RT+LT	Th & RT	Excl RT	UpStream Signal (m)	# of Thru Lanes
King Street	NB	1		1			999	1
King Street	SB				1		999	1
	WB							
Chester Road	EB		1			1		
<b>Other input</b>		Speed (Km/h)	Trucks %	Bus Rt (y/n)	Median (m)			
King Street	NS	50	2.0%	n	0.0			
Chester Road	EW	50	2.0%	n				

	Ped3	Ped1	Ped2	Ped4
	NS	NS	EW	EW
	W Side	E Side	N Side	S Side
7:00 - 8:00	0	0	0	0
8:00 - 9:00	0	0	0	0
11:30 - 12:30	0	0	1	0
12:30 - 13:30	0	0	0	0
15:30 - 16:30	0	0	1	0
16:30 - 17:30	0	0	5	0
<b>Total (6-hour peak)</b>	<b>0</b>	<b>0</b>	<b>7</b>	<b>0</b>
<b>Average (6-hour peak)</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>

Demographics		
Elementary School	(y/n)	n
Senior's Complex	(y/n)	n
Pathway to School	(y/n)	n
Metro Area Population	(#)	16,000
Central Business District	(y/n)	n

Traffic Input	NB			SB			WB			EB		
	LT	Th	RT	LT	Th	RT	LT	Th	RT	LT	Th	RT
7:00 - 8:00	90	360	0	0	270	75	0	0	0	215	0	60
8:00 - 9:00	70	270	0	0	205	55	0	0	0	160	0	45
11:30 - 12:30	65	185	0	0	175	85	0	0	0	95	0	35
12:30 - 13:30	65	185	0	0	175	85	0	0	0	95	0	35
15:30 - 16:30	140	325	0	0	355	225	0	0	0	135	0	70
16:30 - 17:30	165	380	0	0	420	265	0	0	0	155	0	85
Total (6-hour peak)	595	1,705	0	0	1,600	790	0	0	0	855	0	330
Average (6-hour peak)	99	284	0	0	267	132	0	0	0	143	0	55

### Average 6-hour Peak Turning Movements



$$W = [C_{bt}(X_{v-v}) / K_1 + (F(X_{v-p}) L) / K_2] \times C_i$$

W =	83	82	1
		<i>Veh</i>	<i>Ped</i>
<b>NOT Warranted</b>			

## 2005 Canadian Traffic Signal Warrant Matrix Analysis

**Table B-11 - King Street at Chester Road**  
**Scenario 3 - 2030 With Payzant Drive Connector Open**

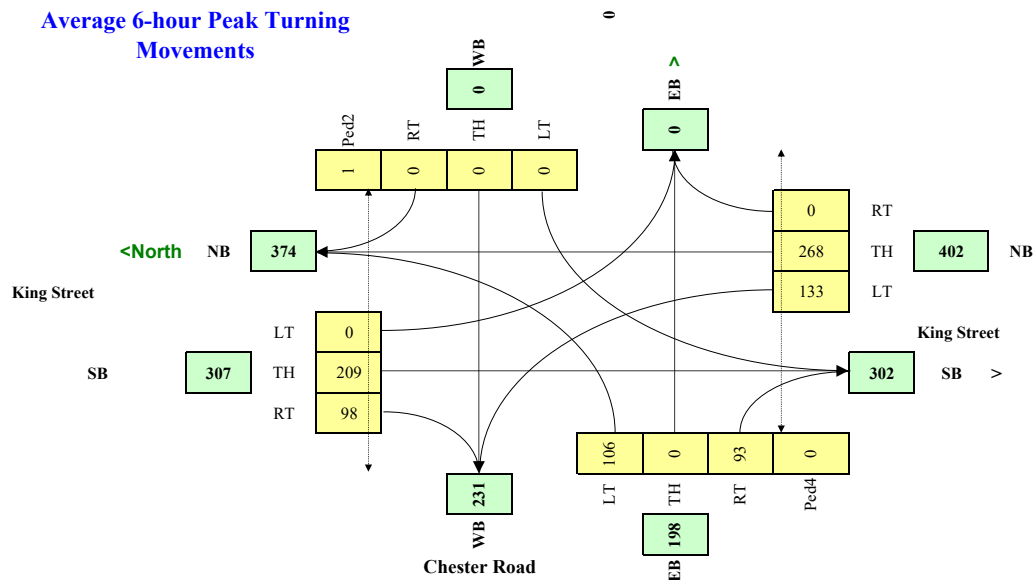
Main Street (name)		King Street		Direction (EW or NS)		NS	Date:		August 2021	
Side Street (name)		Chester Road		Direction (EW or NS)		EW	City:		Windsor, NS	
Lane Configuration			Excl LT	Th & LT	Through or Th+RT+LT	Th & RT	Excl RT	UpStream Signal (m)	# of Thru Lanes	
King Street		NB	1		1			999	1	
King Street		SB				1		999	1	
		WB								
Chester Road		EB	1			1				
Other input			Speed (Km/h)	Trucks %	Bus Rt (y/n)	Median (m)				
King Street		NS	50	2.0%	n	0.0				
Chester Road		EW	50	2.0%	n					

	Ped3	Ped1	Ped2	Ped4
	NS	NS	EW	EW
	W Side	E Side	N Side	S side
7:00 - 8:00	0	0	0	0
8:00 - 9:00	0	0	0	0
11:30 - 12:30	0	0	0	0
12:30 - 13:30	0	0	0	0
15:30 - 16:30	0	0	1	0
16:30 - 17:30	0	0	5	0
Total (6-hour peak)	0	0	7	0
Average (6-hour peak)	0	0	1	0

Demographics		
Elementary School	(y/n)	n
Senior's Complex	(y/n)	n
Pathway to School	(y/n)	n
Metro Area Population (#)		16,000
Central Business District	(y/n)	n

Traffic Input	NB			SB			WB			EB		
	LT	Th	RT	LT	Th	RT	LT	Th	RT	LT	Th	RT
7:00 - 8:00	110	335	0	0	180	55	0	0	0	160	0	115
8:00 - 9:00	85	255	0	0	135	40	0	0	0	120	0	85
11:30 - 12:30	85	175	0	0	135	65	0	0	0	70	0	60
12:30 - 13:30	85	175	0	0	135	65	0	0	0	70	0	60
15:30 - 16:30	200	310	0	0	310	165	0	0	0	100	0	110
16:30 - 17:30	235	360	0	0	360	195	0	0	0	115	0	125
Total (6-hour peak)	800	1,610	0	0	1,255	585	0	0	0	635	0	555
Average (6-hour peak)	133	268	0	0	209	98	0	0	0	106	0	93

### Average 6-hour Peak Turning Movements



$$W = [C_{bt}(X_{v-v}) / K_1 + (F(X_{v-p}) L) / K_2] \times C_i$$

W = 67      66      1  
          Veh      Ped  
**NOT Warranted**



# 2005 Canadian Traffic Signal Warrant Matrix Analysis

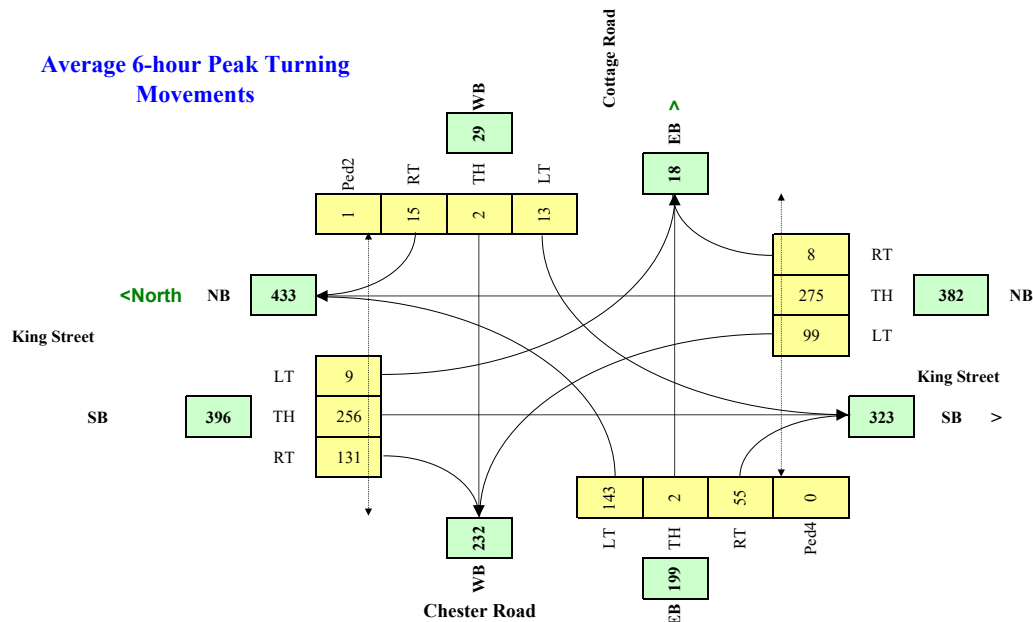
Table B-12 - King Street at Chester Road / Cottage Street  
Scenario 2 - 2030 Without Payzant Drive Connector Open

Main Street (name)	King Street			Direction (EW or NS)		NS	Date:	August 2021	
Side Street (name)	Chester Road			Direction (EW or NS)		EW		City:	Windsor, NS
Lane Configuration		Excl LT	Th & LT	Through or Th+RT+LT	Th & RT	Excl RT	UpStream Signal (m)	# of Thru Lanes	
King Street	NB	1		1			999	1	
King Street	SB	1		1		1	999	1	
Cottage Road	WB			1					
Chester Road	EB	1			1				
Other input		Speed (Km/h)	Trucks %	Bus Rt (y/n)	Median (m)				
King Street	NS	50	2.0%	n	0.0				
Chester Road	EW	50	2.0%	n					

	Ped3	Ped1	Ped2	Ped4
	NS	NS	EW	EW
	W Side	E Side	N Side	S side
7:00 - 8:00	0	0	0	0
8:00 - 9:00	0	0	0	0
11:30 - 12:30	0	0	0	0
12:30 - 13:30	0	0	0	0
15:30 - 16:30	0	0	1	0
16:30 - 17:30	0	0	5	0
Total (6-hour peak)	0	0	7	0
Average (6-hour peak)	0	0	1	0

Demographics		
Elementary School	(y/n)	n
Senior's Complex	(y/n)	n
Pathway to School	(y/n)	n
Metro Area Population (#)		16,000
Central Business District	(y/n)	n

Traffic Input	NB			SB			WB			EB		
	LT	Th	RT	LT	Th	RT	LT	Th	RT	LT	Th	RT
7:00 - 8:00	90	340	15	15	265	75	5	0	15	215	5	60
8:00 - 9:00	70	255	10	10	200	55	5	0	10	160	5	45
11:30 - 12:30	65	180	5	5	165	85	10	0	10	95	0	35
12:30 - 13:30	65	180	5	5	165	85	10	0	10	95	0	35
15:30 - 16:30	140	320	5	10	340	225	20	5	20	135	0	70
16:30 - 17:30	165	375	5	10	400	260	25	5	25	155	0	85
Total (6-hour peak)	595	1,650	45	55	1,535	785	75	10	90	855	10	330
Average (6-hour peak)	99	275	8	9	256	131	13	2	15	143	2	55



## 2005 Canadian Traffic Signal Warrant Matrix Analysis

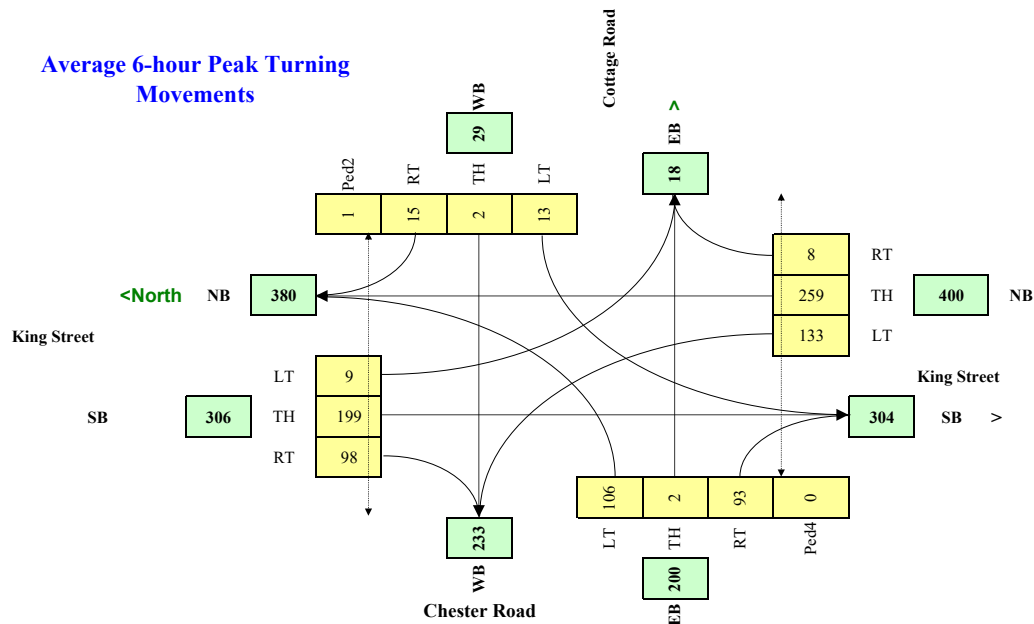
**Table B-13 - King Street at Chester Road / Cottage Street  
Scenario 3 - 2030 With Payzant Drive Connector Open**

<b>Main Street (name)</b>	<b>King Street</b>		<b>Direction (EW or NS)</b>		<b>NS</b>	<b>Date:</b>	<b>August 2021</b>	
<b>Side Street (name)</b>	<b>Chester Road</b>		<b>Direction (EW or NS)</b>		<b>EW</b>		<b>City:</b>	<b>Windsor, NS</b>
<b>Lane Configuration</b>		Excl LT	Th & LT	Through or Th+RT+LT	Th & RT	Excl RT	UpStream Signal (m)	# of Thru Lanes
King Street	NB	1		1			999	1
King Street	SB	1		1		1	999	1
Cottage Road	WB			1				
Chester Road	EB	1				1		
<b>Other input</b>		Speed (Km/h)	Trucks %	Bus Rt (y/n)	Median (m)			
King Street	NS	50	2.0%	n	0.0			
Chester Road	EW	50	2.0%	n				

	Ped3	Ped1	Ped2	Ped4
	NS	NS	EW	EW
	W Side	E Side	N Side	S Side
7:00 - 8:00	0	0	0	0
8:00 - 9:00	0	0	0	0
11:30 - 12:30	0	0	1	0
12:30 - 13:30	0	0	0	0
15:30 - 16:30	0	0	1	0
16:30 - 17:30	0	0	5	0
<b>Total (6-hour peak)</b>	<b>0</b>	<b>0</b>	<b>7</b>	<b>0</b>
<b>Average (6-hour peak)</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>

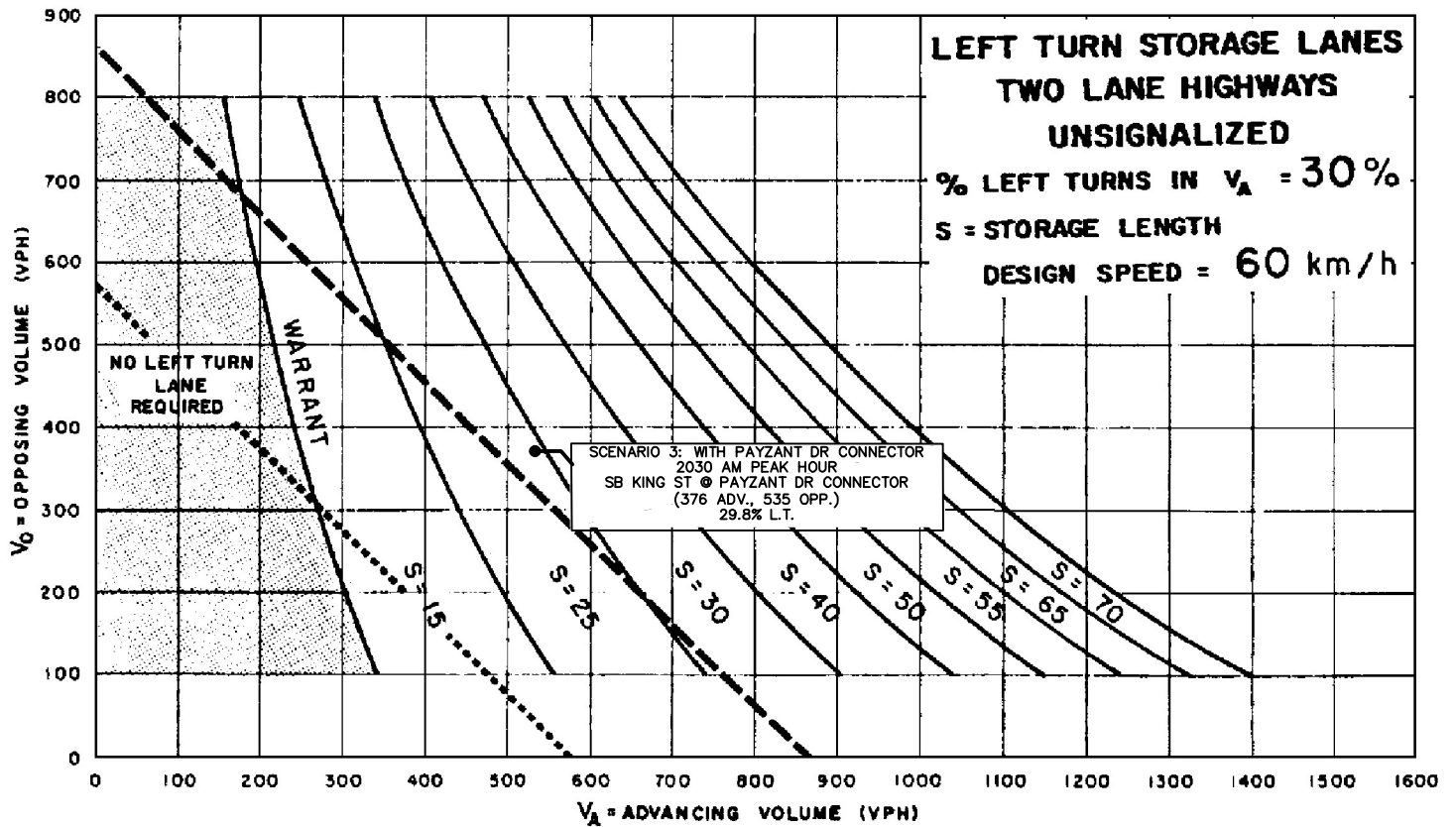
Demographics		
Elementary School	(y/n)	n
Senior's Complex	(y/n)	n
Pathway to School	(y/n)	n
Metro Area Population	(#)	16,000
Central Business District	(y/n)	n

Traffic Input	NB			SB			WB			EB		
	LT	Th	RT	LT	Th	RT	LT	Th	RT	LT	Th	RT
7:00 - 8:00	110	315	15	15	175	55	5	0	15	160	5	115
8:00 - 9:00	85	240	10	10	130	40	5	0	10	120	5	85
11:30 - 12:30	85	170	5	5	130	65	10	0	10	70	0	60
12:30 - 13:30	85	170	5	5	130	65	10	0	10	70	0	60
15:30 - 16:30	200	305	5	10	290	165	20	5	20	100	0	110
16:30 - 17:30	235	355	5	10	340	195	25	5	25	115	0	125
Total (6-hour peak)	800	1,555	45	55	1,195	585	75	10	90	635	10	555
Average (6-hour peak)	133	259	8	9	199	98	13	2	15	106	2	93



$$W = [C_{bt}(X_{v-v}) / K_1 + (F(X_{v-p}) L) / K_2] \times C_i$$

W =	75	74	1
		<i>Veh</i>	<i>Ped</i>
<b>NOT Warranted</b>			



Intersection Infrastructure Needs Assessment  
Windsor, NS

Figure B-3

Left Turn Lane Warrant  
Intersection #5: King Street at Payzant Drive Connector  
AM and PM Peak Hours

August 2021

## 2005 Canadian Traffic Signal Warrant Matrix Analysis

**Table B-15 - King Street at Payzant Drive Connector  
Scenario 3 - 2030 With Payzant Drive Connector Open**

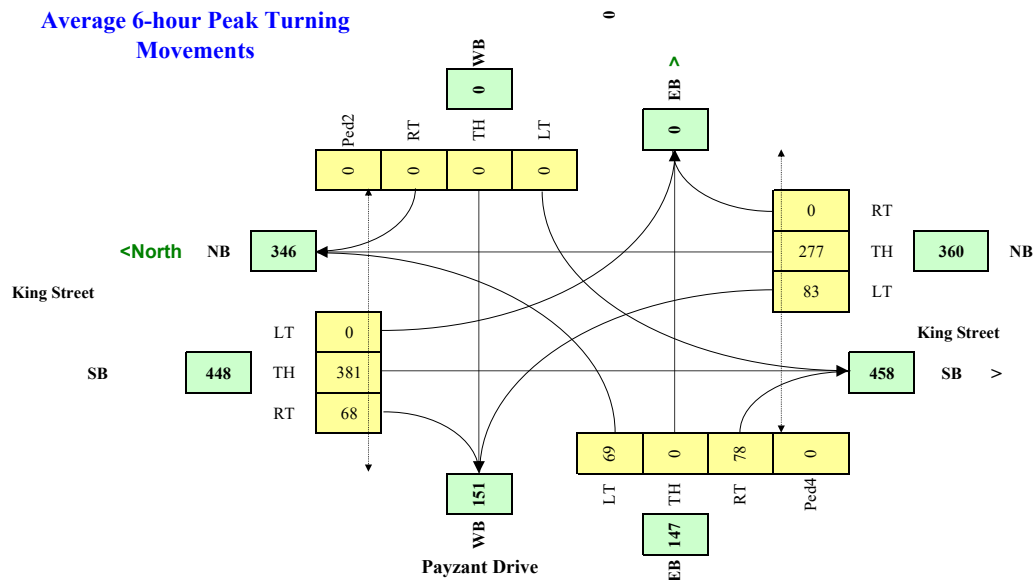
Main Street (name)	King Street		Direction (EW or NS)		NS	Date:	August 2021		
Side Street (name)	Payzant Drive		Direction (EW or NS)		EW		City:	Windsor, NS	
Lane Configuration		Excl LT	Th & LT	Through or Th+RT+LT	Th & RT	Excl RT		UpStream Signal (m)	# of Thru Lanes
King Street	NB			1			999	1	
King Street	SB	1		1			999	1	
Payzant Drive	WB			1					
	EB								

Other input		Speed (Km/h)	Trucks %	Bus Rt (y/n)	Median (m)
King Street	NS	50	2.0%	n	0.0
Payzant Drive	EW	50	2.0%	n	

	Ped3	Ped1	Ped2	Ped4
	NS	NS	EW	EW
	W Side	E Side	N Side	S side
7:00 - 8:00	0	0	0	0
8:00 - 9:00	0	0	0	0
11:30 - 12:30	0	0	0	0
12:30 - 13:30	0	0	0	0
15:30 - 16:30	0	0	0	0
16:30 - 17:30	0	0	0	0
Total (6-hour peak)	0	0	0	0
Average (6-hour peak)	0	0	0	0

Demographics		
Elementary School	(y/n)	n
Senior's Complex	(y/n)	n
Pathway to School	(y/n)	n
Metro Area Population (#)		16,000
Central Business District	(y/n)	n

Traffic Input	NB			SB			WB			EB		
	LT	Th	RT	LT	Th	RT	LT	Th	RT	LT	Th	RT
7:00 - 8:00	110	265	0	0	450	90	0	0	0	100	0	80
8:00 - 9:00	85	200	0	0	335	70	0	0	0	75	0	60
11:30 - 12:30	55	180	0	0	250	45	0	0	0	45	0	50
12:30 - 13:30	55	180	0	0	250	45	0	0	0	45	0	50
15:30 - 16:30	90	385	0	0	460	70	0	0	0	70	0	105
16:30 - 17:30	105	450	0	0	540	85	0	0	0	80	0	120
Total (6-hour peak)	500	1,660	0	0	2,285	405	0	0	0	415	0	465
Average (6-hour peak)	83	277	0	0	381	68	0	0	0	69	0	78



$$W = [C_{bt}(X_{v-v}) / K_1 + (F(X_{v-p}) L) / K_2] \times C_i$$

W =	60	60	0
	Veh	Veh	Ped
NOT Warranted			

# APPENDIX




















## C

### INTERSECTION PERFORMANCE ANALYSIS






















Windsor Intersection Needs Assessment  
1: Wentworth Road & Driveway/Payzant Drive

Page C-1  
Scenario 1 - 2021 AM Peak Hour

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	1	1	1	65	1	170	1	395	230	295	420	5
Future Volume (Veh/h)	1	1	1	65	1	170	1	395	230	295	420	5
Sign Control		Stop			Stop			Free			Free	
Grade		0%			0%			0%			0%	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	1	1	1	71	1	185	1	429	250	321	457	5
Pedestrians		5			5						5	
Lane Width (m)		3.6			3.6						3.6	
Walking Speed (m/s)		1.2			1.2						1.2	
Percent Blockage		0			0						0	
Right turn flare (veh)												
Median type								None			None	
Median storage veh												
Upstream signal (m)												
pX, platoon unblocked												
vC, conflicting volume	1728	1792	464	1662	1670	564	467			684		
vC1, stage 1 conf vol												
vC2, stage 2 conf vol												
vCu, unblocked vol	1728	1792	464	1662	1670	564	467			684		
tC, single (s)	7.1	6.5	6.2	7.1	6.5	6.2	4.1			4.1		
tC, 2 stage (s)												
tF (s)	3.5	4.0	3.3	3.5	4.0	3.3	2.2			2.2		
p0 queue free %	97	98	100	0	98	64	100			65		
cM capacity (veh/h)	32	52	595	55	61	521	1090			905		
Direction, Lane #	EB 1	WB 1	WB 2	NB 1	NB 2	SB 1	SB 2					
Volume Total	3	71	186	1	679	321	462					
Volume Left	1	71	0	1	0	321	0					
Volume Right	1	0	185	0	250	0	5					
cSH	57	55	501	1090	1700	905	1700					
Volume to Capacity	0.05	1.30	0.37	0.00	0.40	0.35	0.27					
Queue Length 95th (m)	1.3	50.3	13.6	0.0	0.0	12.9	0.0					
Control Delay (s)	71.7	345.9	16.4	8.3	0.0	11.1	0.0					
Lane LOS	F	F	C	A		B						
Approach Delay (s)	71.7	107.4		0.0		4.6						
Approach LOS	F	F										
Intersection Summary												
Average Delay			18.2									
Intersection Capacity Utilization			72.8%		ICU Level of Service					C		
Analysis Period (min)			15									





















Windsor Intersection Needs Assessment  
1: Wentworth Road & Driveway/Payzant Drive

Page C-2  
Scenario 1 - 2021 PM Peak Hour

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	5	1	5	110	5	165	5	495	55	80	490	5
Future Volume (Veh/h)	5	1	5	110	5	165	5	495	55	80	490	5
Sign Control		Stop			Stop			Free			Free	
Grade		0%			0%			0%			0%	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	5	1	5	120	5	179	5	538	60	87	533	5
Pedestrians		5			5						5	
Lane Width (m)		3.6			3.6						3.6	
Walking Speed (m/s)		1.2			1.2						1.2	
Percent Blockage		0			0						0	
Right turn flare (veh)												
Median type								None			None	
Median storage veh												
Upstream signal (m)												
pX, platoon unblocked												
vC, conflicting volume	1449	1328	540	1296	1300	578	543			603		
vC1, stage 1 conf vol												
vC2, stage 2 conf vol												
vCu, unblocked vol	1449	1328	540	1296	1300	578	543			603		
tC, single (s)	7.1	6.5	6.2	7.1	6.5	6.2	4.1			4.1		
tC, 2 stage (s)												
tF (s)	3.5	4.0	3.3	3.5	4.0	3.3	2.2			2.2		
p0 queue free %	92	99	99	5	97	65	100			91		
cM capacity (veh/h)	63	139	539	126	145	511	1022			971		
Direction, Lane #	EB 1	WB 1	WB 2	NB 1	NB 2	SB 1	SB 2					
Volume Total	11	120	184	5	598	87	538					
Volume Left	5	120	0	5	0	87	0					
Volume Right	5	0	179	0	60	0	5					
cSH	115	126	478	1022	1700	971	1700					
Volume to Capacity	0.10	0.95	0.38	0.00	0.35	0.09	0.32					
Queue Length 95th (m)	2.5	50.8	14.3	0.1	0.0	2.4	0.0					
Control Delay (s)	39.6	134.2	17.2	8.5	0.0	9.1	0.0					
Lane LOS	E	F	C	A		A						
Approach Delay (s)	39.6	63.4		0.1		1.3						
Approach LOS	E	F										
Intersection Summary												
Average Delay			13.3									
Intersection Capacity Utilization			55.8%		ICU Level of Service					B		
Analysis Period (min)			15									

## 1: Wentworth Road &amp; Payzant Drive Extension/Payzant Drive

Scenario 2 - 2030 AM Peak Hour

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	34	5	40	215	1	271	60	407	311	357	449	35
Future Volume (vph)	34	5	40	215	1	271	60	407	311	357	449	35
Satd. Flow (prot)	1770	1563	0	1770	1530	0	1770	1715	0	1770	1838	0
Flt Permitted	0.579			0.507			0.469			0.081		
Satd. Flow (perm)	1079	1563	0	944	1530	0	874	1715	0	151	1838	0
Satd. Flow (RTOR)		43			295			42			7	
Lane Group Flow (vph)	37	48	0	234	296	0	65	780	0	388	526	0
Turn Type	Perm	NA		pm+pt	NA		Perm	NA		pm+pt	NA	
Protected Phases		4		3	8			2		1	6	
Permitted Phases	4			8			2			6		
Total Split (s)	24.0	24.0		13.0	37.0		51.0	51.0		22.0	73.0	
Total Lost Time (s)	6.0	6.0		4.0	6.0		6.0	6.0		4.0	6.0	
Act Effct Green (s)	11.6	11.6		23.7	21.7		45.2	45.2		69.3	67.3	
Actuated g/C Ratio	0.11	0.11		0.23	0.21		0.45	0.45		0.69	0.67	
v/c Ratio	0.30	0.22		0.78	0.53		0.17	0.99		0.99	0.43	
Control Delay	48.6	17.1		52.6	7.5		20.3	57.6		73.3	10.1	
Queue Delay	0.0	0.0		0.0	0.0		0.0	0.0		0.0	0.0	
Total Delay	48.6	17.1		52.6	7.5		20.3	57.6		73.3	10.1	
LOS	D	B		D	A		C	E		E	B	
Approach Delay		30.8			27.4			54.7			36.9	
Approach LOS		C			C			D			D	
Queue Length 50th (m)	7.3	1.0		42.6	0.2		8.0	152.3		~64.4	46.7	
Queue Length 95th (m)	17.7	11.7		66.5	20.6		19.5	#267.2		#142.7	85.2	
Internal Link Dist (m)		208.9			175.7			168.9			157.6	
Turn Bay Length (m)	40.0			75.0			30.0			85.0		
Base Capacity (vph)	193	314		301	675		390	790		392	1226	
Starvation Cap Reductn	0	0		0	0		0	0		0	0	
Spillback Cap Reductn	0	0		0	0		0	0		0	0	
Storage Cap Reductn	0	0		0	0		0	0		0	0	
Reduced v/c Ratio	0.19	0.15		0.78	0.44		0.17	0.99		0.99	0.43	

## Intersection Summary

Cycle Length: 110

Actuated Cycle Length: 101.1

Control Type: Actuated-Uncoordinated

Maximum v/c Ratio: 0.99

Intersection Signal Delay: 40.9

Intersection LOS: D

Intersection Capacity Utilization 102.0%

ICU Level of Service G

Analysis Period (min) 15

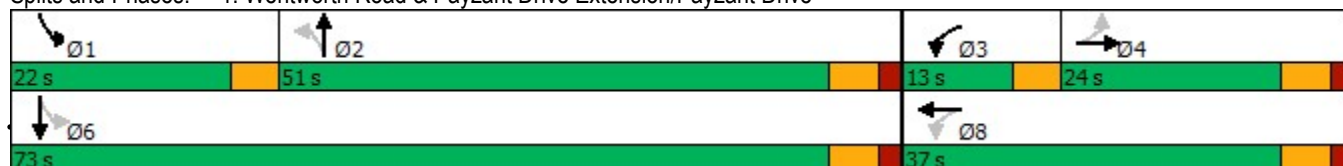
~ Volume exceeds capacity, queue is theoretically infinite.

Queue shown is maximum after two cycles.

# 95th percentile volume exceeds capacity, queue may be longer.

Queue shown is maximum after two cycles.





















## Splits and Phases: 1: Wentworth Road &amp; Payzant Drive Extension/Payzant Drive





## 1: Wentworth Road &amp; Payzant Drive Extension/Payzant Drive

Scenario 2 - 2030 PM Peak Hour

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	84	5	71	224	5	238	51	535	217	169	509	35
Future Volume (vph)	84	5	71	224	5	238	51	535	217	169	509	35
Satd. Flow (prot)	1770	1548	0	1770	1534	0	1770	1765	0	1770	1840	0
Flt Permitted	0.596			0.546			0.441			0.079		
Satd. Flow (perm)	1110	1548	0	1017	1534	0	821	1765	0	147	1840	0
Satd. Flow (RTOR)		77			259			26			6	
Lane Group Flow (vph)	91	82	0	243	264	0	55	818	0	184	591	0
Turn Type	Perm	NA		pm+pt	NA		Perm	NA		pm+pt	NA	
Protected Phases		4		3	8			2		1	6	
Permitted Phases	4			8			2			6		
Total Split (s)	24.0	24.0		12.0	36.0		59.0	59.0		15.0	74.0	
Total Lost Time (s)	6.0	6.0		4.0	6.0		6.0	6.0		4.0	6.0	
Act Effct Green (s)	13.8	13.8		27.9	25.9		49.4	49.4		66.1	64.1	
Actuated g/C Ratio	0.14	0.14		0.27	0.25		0.48	0.48		0.65	0.63	
v/c Ratio	0.61	0.30		0.72	0.45		0.14	0.94		0.70	0.51	
Control Delay	60.5	13.6		46.3	7.0		16.3	45.0		33.4	12.5	
Queue Delay	0.0	0.0		0.0	0.0		0.0	0.0		0.0	0.0	
Total Delay	60.5	13.6		46.3	7.0		16.3	45.0		33.4	12.5	
LOS	E	B		D	A		B	D		C	B	
Approach Delay		38.3			25.9			43.2			17.4	
Approach LOS		D			C			D			B	
Queue Length 50th (m)	19.0	1.0		45.1	0.8		6.2	153.4		19.1	61.0	
Queue Length 95th (m)	36.5	14.7		#70.2	20.8		14.9	#255.1		#53.1	97.6	
Internal Link Dist (m)		208.9			175.7			168.9			157.6	
Turn Bay Length (m)	45.0			75.0			30.0			85.0		
Base Capacity (vph)	197	338		337	636		429	935		271	1237	
Starvation Cap Reductn	0	0		0	0		0	0		0	0	
Spillback Cap Reductn	0	0		0	0		0	0		0	0	
Storage Cap Reductn	0	0		0	0		0	0		0	0	
Reduced v/c Ratio	0.46	0.24		0.72	0.42		0.13	0.87		0.68	0.48	

## Intersection Summary

Cycle Length: 110

Actuated Cycle Length: 102.1

Control Type: Actuated-Uncoordinated

Maximum v/c Ratio: 0.94

Intersection Signal Delay: 30.5

Intersection LOS: C

Intersection Capacity Utilization 93.1%

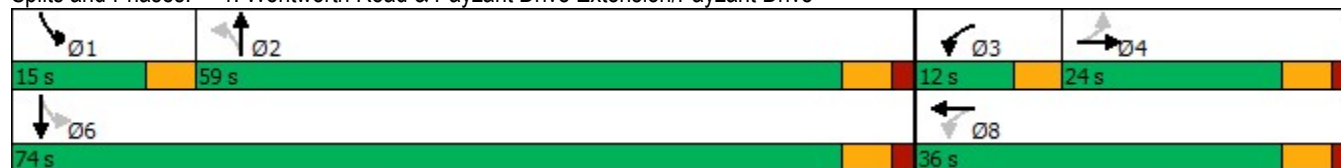
ICU Level of Service F

Analysis Period (min) 15

# 95th percentile volume exceeds capacity, queue may be longer.

Queue shown is maximum after two cycles.

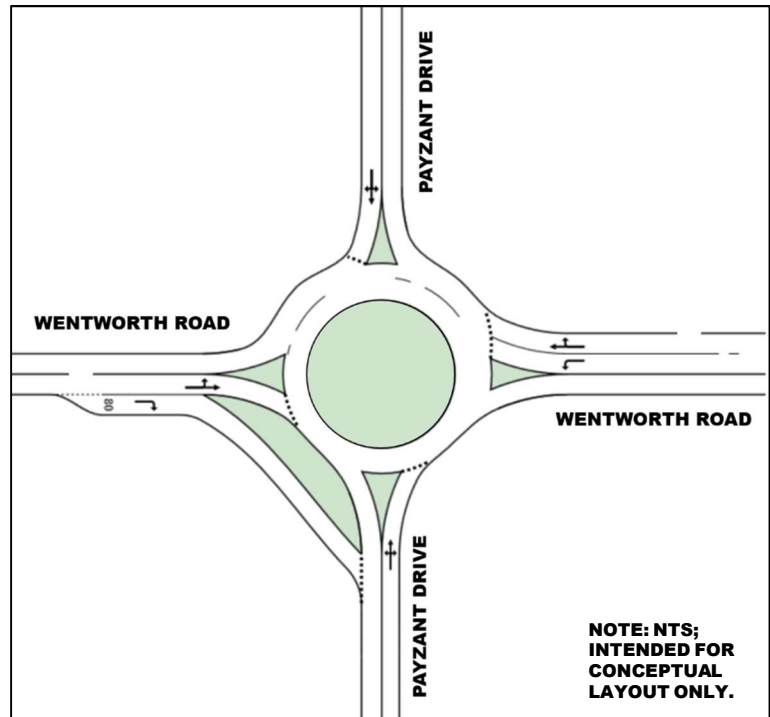
## Splits and Phases: 1: Wentworth Road &amp; Payzant Drive Extension/Payzant Drive



# **ARCADY ANALYSIS – 2030 AM & PM PEAK HOUR**

## **Scenario 2**

### **Wentworth Road at Payzant Drive Without Payzant Drive Connector**
























Arm	V- Approach Road half-width (m)	E-Entry Width (m)	I'- Effective flare length (m)	R – Entry Radius (m)	D – Inscribed circle diameter (m)	PHI – Conflict (entry) angle (deg)
Wentworth Rd SB	3.5	7.5	60	30	60	20
Wentworth Rd NB	3.5	3.5	0	30	60	20
Payzant Dr WB	3.5	3.5	0	30	60	20
Payzant Dr EB	3.5	3.5	0	30	60	20

LOS Criteria	Control Delay (sec/veh), Level of Service (LOS), v/c Ratio, and 95 <sup>th</sup> %ile Queue (m) by Intersection Movement				Overall Intersection	
	Payzant Drive		Wentworth Road			
	EB	WB	NB	SB	Delay	LOS
Scenario 2 - 2030 AM Peak Hour <i>without</i> Payzant Drive Connection						
Delay	7.8	9.9	10.1	3.9	7.4	A
LOS	A	A	B	A		
v/c	0.15	0.55	0.59	0.51		
Queue	3.5	19.6	17.5	10.5		
Scenario 2 - 2030 PM Peak Hour <i>without</i> Payzant Drive Connection						
Delay	8.6	18.0	12.8	3.5	10.3	B
LOS	A	C	B	A		
v/c	0.29	0.72	0.70	0.45		
Queue	11.2	79.8	56.0	13.3		

## 1: Wentworth Road &amp; Payzant Drive Extension/Payzant Drive

Scenario 3 - 2030 AM Peak Hour

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	31	10	38	111	4	232	56	390	216	285	435	35
Future Volume (vph)	31	10	38	111	4	232	56	390	216	285	435	35
Satd. Flow (prot)	1770	1598	0	1770	1532	0	1770	1742	0	1770	1837	0
Flt Permitted	0.601			0.540			0.475			0.140		
Satd. Flow (perm)	1120	1598	0	1006	1532	0	885	1742	0	261	1837	0
Satd. Flow (RTOR)		41			252			33			7	
Lane Group Flow (vph)	34	52	0	121	256	0	61	659	0	310	511	0
Turn Type	Perm	NA		pm+pt	NA		Perm	NA		pm+pt	NA	
Protected Phases		4		3	8			2		1	6	
Permitted Phases	4			8			2			6		
Total Split (s)	24.0	24.0		10.0	34.0		55.0	55.0		21.0	76.0	
Total Lost Time (s)	6.0	6.0		4.0	6.0		6.0	6.0		4.0	6.0	
Act Effect Green (s)	11.8	11.8		21.4	19.3		36.3	36.3		56.2	54.1	
Actuated g/C Ratio	0.14	0.14		0.25	0.22		0.42	0.42		0.65	0.63	
v/c Ratio	0.22	0.20		0.40	0.48		0.16	0.88		0.76	0.44	
Control Delay	42.8	18.6		33.6	7.9		17.8	36.3		27.6	9.7	
Queue Delay	0.0	0.0		0.0	0.0		0.0	0.0		0.0	0.0	
Total Delay	42.8	18.6		33.6	7.9		17.8	36.3		27.6	9.7	
LOS	D	B		C	A		B	D		C	A	
Approach Delay		28.2			16.1			34.7			16.5	
Approach LOS		C			B			C			B	
Queue Length 50th (m)	5.6	1.8		17.2	0.6		6.3	95.6		26.0	40.2	
Queue Length 95th (m)	16.5	13.4		37.7	20.9		17.2	#190.7		#74.8	75.4	
Internal Link Dist (m)		208.9			175.7			168.9			157.6	
Turn Bay Length (m)	40.0			75.0			30.0			85.0		
Base Capacity (vph)	247	384		306	691		531	1060		485	1486	
Starvation Cap Reductn	0	0		0	0		0	0		0	0	
Spillback Cap Reductn	0	0		0	0		0	0		0	0	
Storage Cap Reductn	0	0		0	0		0	0		0	0	
Reduced v/c Ratio	0.14	0.14		0.40	0.37		0.11	0.62		0.64	0.34	

## Intersection Summary

Cycle Length: 110

Actuated Cycle Length: 86.1

Control Type: Actuated-Uncoordinated

Maximum v/c Ratio: 0.88

Intersection Signal Delay: 23.5

Intersection LOS: C

Intersection Capacity Utilization 88.8%

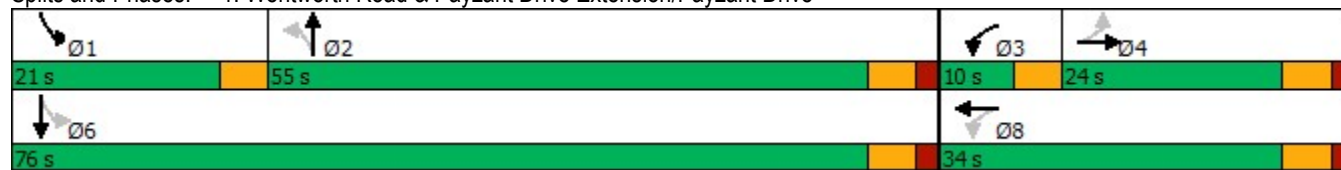
ICU Level of Service E

Analysis Period (min) 15

# 95th percentile volume exceeds capacity, queue may be longer.





















Queue shown is maximum after two cycles.

## Splits and Phases: 1: Wentworth Road &amp; Payzant Drive Extension/Payzant Drive



## 1: Wentworth Road &amp; Payzant Drive Extension/Payzant Drive

Scenario 2 - 2030 PM Peak Hour

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	82	12	66	95	8	204	48	520	127	111	488	35
Future Volume (vph)	82	12	66	95	8	204	48	520	127	111	488	35
Satd. Flow (prot)	1770	1578	0	1770	1541	0	1770	1796	0	1770	1840	0
Flt Permitted	0.615			0.538			0.451			0.131		
Satd. Flow (perm)	1146	1578	0	1002	1541	0	840	1796	0	244	1840	0
Satd. Flow (RTOR)		72			222			16			6	
Lane Group Flow (vph)	89	85	0	103	231	0	52	703	0	121	568	0
Turn Type	Perm	NA		pm+pt	NA		Perm	NA		pm+pt	NA	
Protected Phases		4		3	8			2		1	6	
Permitted Phases	4			8			2			6		
Total Split (s)	24.0	24.0		10.0	34.0		61.0	61.0		15.0	76.0	
Total Lost Time (s)	6.0	6.0		4.0	6.0		6.0	6.0		4.0	6.0	
Act Effect Green (s)	13.1	13.1		22.8	20.7		38.7	38.7		55.5	53.4	
Actuated g/C Ratio	0.15	0.15		0.26	0.24		0.45	0.45		0.64	0.62	
v/c Ratio	0.51	0.28		0.32	0.43		0.14	0.87		0.35	0.50	
Control Delay	49.6	15.3		30.4	7.8		15.6	33.8		9.7	11.4	
Queue Delay	0.0	0.0		0.0	0.0		0.0	0.0		0.0	0.0	
Total Delay	49.6	15.3		30.4	7.8		15.6	33.8		9.7	11.4	
LOS	D	B		C	A		B	C		A	B	
Approach Delay		32.8			14.8			32.5			11.1	
Approach LOS		C			B			C			B	
Queue Length 50th (m)	14.8	2.0		13.9	1.2		5.2	105.8		7.6	51.0	
Queue Length 95th (m)	35.3	16.6		32.4	20.9		13.3	172.6		16.3	87.5	
Internal Link Dist (m)		208.9			175.7			168.9			157.6	
Turn Bay Length (m)	45.0			75.0			30.0			85.0		
Base Capacity (vph)	248	399		319	667		557	1196		358	1493	
Starvation Cap Reductn	0	0		0	0		0	0		0	0	
Spillback Cap Reductn	0	0		0	0		0	0		0	0	
Storage Cap Reductn	0	0		0	0		0	0		0	0	
Reduced v/c Ratio	0.36	0.21		0.32	0.35		0.09	0.59		0.34	0.38	

## Intersection Summary

Cycle Length: 110

Actuated Cycle Length: 86.6

Control Type: Actuated-Uncoordinated

Maximum v/c Ratio: 0.87

Intersection Signal Delay: 22.0

Intersection Capacity Utilization 84.0%

Analysis Period (min) 15

Intersection LOS: C

ICU Level of Service E

## Splits and Phases: 1: Wentworth Road &amp; Payzant Drive Extension/Payzant Drive

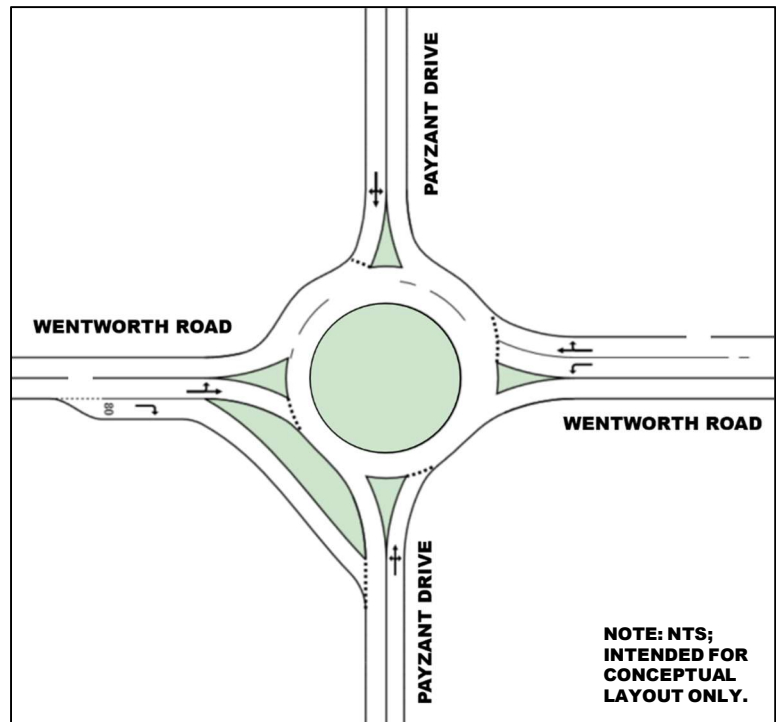
			
15 s	61 s	10 s	24 s
			
76 s		34 s	



# **ARCADY ANALYSIS – 2030 AM & PM PEAK HOUR**

## **Scenario 3**

### **Wentworth Road at Payzant Drive With Payzant Drive Connector**














Arm	V- Approach Road half- width (m)	E-Entry Width (m)	I'- Effective flare length (m)	R – Entry Radius (m)	D – Inscribed circle diameter (m)	PHI – Conflict (entry) angle (deg)
Wentworth Rd SB	3.5	7.5	60	30	60	20
Wentworth Rd NB	3.5	3.5	0	30	60	20
Payzant Dr WB	3.5	3.5	0	30	60	20
Payzant Dr EB	3.5	3.5	0	30	60	20

LOS Criteria	Control Delay (sec/veh), Level of Service (LOS), v/c Ratio, and 95 <sup>th</sup> %ile Queue (m) by Intersection Movement				Overall Intersection	
	Payzant Drive		Wentworth Road			
	EB	WB	NB	SB	Delay	LOS
Scenario 3 - 2030 AM Peak Hour <i>with</i> Payzant Drive Connection						
Delay	6.4	7.0	8.7	3.3	6.0	A
LOS	A	A	A	A		
v/c	0.13	0.38	0.54	0.44		
Queue	3.5	19.6	15.4	14.0		
Scenario 3 - 2030 PM Peak Hour <i>with</i> Payzant Drive Connection						
Delay	6.8	9.3	10.9	2.9	7.3	A
LOS	A	A	B	A		
v/c	0.25	0.47	0.65	0.39		
Queue	9.8	22.4	31.5	18.9		

# Windsor Intersection Needs Assessment

## 2: Wentworth Road & Empire Lane












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Scenario 1 - 2021 AM Peak Hour

						
Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Volume (veh/h)	30	25	45	620	390	80
Future Volume (Veh/h)	30	25	45	620	390	80
Sign Control	Stop			Free	Free	
Grade	0%			0%	0%	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	33	27	49	674	424	87
Pedestrians	5					
Lane Width (m)	3.6					
Walking Speed (m/s)	1.2					
Percent Blockage	0					
Right turn flare (veh)						
Median type				None	TWLTL	
Median storage (veh)					2	
Upstream signal (m)				327		
pX, platoon unblocked						
vC, conflicting volume	1244	472	516			
vC1, stage 1 conf vol	472					
vC2, stage 2 conf vol	772					
vCu, unblocked vol	1244	472	516			
tC, single (s)	6.4	6.2	4.1			
tC, 2 stage (s)	5.4					
tF (s)	3.5	3.3	2.2			
p0 queue free %	91	95	95			
cM capacity (veh/h)	382	589	1045			
Direction, Lane #	EB 1	EB 2	NB 1	NB 2	SB 1	
Volume Total	33	27	49	674	511	
Volume Left	33	0	49	0	0	
Volume Right	0	27	0	0	87	
cSH	382	589	1045	1700	1700	
Volume to Capacity	0.09	0.05	0.05	0.40	0.30	
Queue Length 95th (m)	2.3	1.2	1.2	0.0	0.0	
Control Delay (s)	15.3	11.4	8.6	0.0	0.0	
Lane LOS	C	B	A			
Approach Delay (s)	13.6		0.6		0.0	
Approach LOS	B					
Intersection Summary						
Average Delay			1.0			
Intersection Capacity Utilization			42.6%	ICU Level of Service		A
Analysis Period (min)			15			

# Windsor Intersection Needs Assessment

## 2: Wentworth Road & Empire Lane












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Scenario 1 - 2021 PM Peak Hour

						
Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Volume (veh/h)	120	75	60	435	535	115
Future Volume (Veh/h)	120	75	60	435	535	115
Sign Control	Stop			Free	Free	
Grade	0%			0%	0%	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	130	82	65	473	582	125
Pedestrians	135					
Lane Width (m)	3.6					
Walking Speed (m/s)	1.2					
Percent Blockage	11					
Right turn flare (veh)						
Median type				None	TWLTL	
Median storage (veh)					2	
Upstream signal (m)				327		
pX, platoon unblocked						
vC, conflicting volume	1382	780	842			
vC1, stage 1 conf vol	780					
vC2, stage 2 conf vol	603					
vCu, unblocked vol	1382	780	842			
tC, single (s)	6.4	6.2	4.1			
tC, 2 stage (s)	5.4					
tF (s)	3.5	3.3	2.2			
p0 queue free %	60	77	91			
cM capacity (veh/h)	327	351	704			
Direction, Lane #	EB 1	EB 2	NB 1	NB 2	SB 1	
Volume Total	130	82	65	473	707	
Volume Left	130	0	65	0	0	
Volume Right	0	82	0	0	125	
cSH	327	351	704	1700	1700	
Volume to Capacity	0.40	0.23	0.09	0.28	0.42	
Queue Length 95th (m)	14.7	7.1	2.4	0.0	0.0	
Control Delay (s)	23.0	18.4	10.6	0.0	0.0	
Lane LOS	C	C	B			
Approach Delay (s)	21.2		1.3		0.0	
Approach LOS	C					
Intersection Summary						
Average Delay			3.6			
Intersection Capacity Utilization			56.3%	ICU Level of Service		B
Analysis Period (min)			15			

# Windsor Intersection Needs Assessment

## 2: Wentworth Road & Empire Lane

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Scenario 2 - 2030 AM Peak Hour












						
Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Volume (veh/h)	37	35	52	771	598	91
Future Volume (Veh/h)	37	35	52	771	598	91
Sign Control	Stop			Free	Free	
Grade	0%			0%	0%	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	40	38	57	838	650	99
Pedestrians	5					
Lane Width (m)	3.6					
Walking Speed (m/s)	1.2					
Percent Blockage	0					
Right turn flare (veh)						
Median type				None	TWLTL	
Median storage (veh)					2	
Upstream signal (m)				327		
pX, platoon unblocked						
vC, conflicting volume	1656	704	754			
vC1, stage 1 conf vol	704					
vC2, stage 2 conf vol	952					
vCu, unblocked vol	1656	704	754			
tC, single (s)	6.4	6.2	4.1			
tC, 2 stage (s)	5.4					
tF (s)	3.5	3.3	2.2			
p0 queue free %	86	91	93			
cM capacity (veh/h)	292	435	853			
Direction, Lane #	EB 1	EB 2	NB 1	NB 2	SB 1	
Volume Total	40	38	57	838	749	
Volume Left	40	0	57	0	0	
Volume Right	0	38	0	0	99	
cSH	292	435	853	1700	1700	
Volume to Capacity	0.14	0.09	0.07	0.49	0.44	
Queue Length 95th (m)	3.7	2.3	1.7	0.0	0.0	
Control Delay (s)	19.2	14.1	9.5	0.0	0.0	
Lane LOS	C	B	A			
Approach Delay (s)	16.7		0.6		0.0	
Approach LOS	C					
Intersection Summary						
Average Delay			1.1			
Intersection Capacity Utilization			53.2%	ICU Level of Service		A
Analysis Period (min)			15			



# Windsor Intersection Needs Assessment

## 2: Wentworth Road & Empire Lane












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Scenario 2 - 2030 PM Peak Hour

						
Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Volume (veh/h)	137	88	75	671	722	132
Future Volume (Veh/h)	137	88	75	671	722	132
Sign Control	Stop			Free	Free	
Grade	0%			0%	0%	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	149	96	82	729	785	143
Pedestrians	5					
Lane Width (m)	3.6					
Walking Speed (m/s)	1.2					
Percent Blockage	0					
Right turn flare (veh)						
Median type				None	TWLTL	
Median storage (veh)					2	
Upstream signal (m)				327		
pX, platoon unblocked						
vC, conflicting volume	1754	862	933			
vC1, stage 1 conf vol	862					
vC2, stage 2 conf vol	893					
vCu, unblocked vol	1754	862	933			
tC, single (s)	6.4	6.2	4.1			
tC, 2 stage (s)	5.4					
tF (s)	3.5	3.3	2.2			
p0 queue free %	46	73	89			
cM capacity (veh/h)	274	353	731			
Direction, Lane #	EB 1	EB 2	NB 1	NB 2	SB 1	
Volume Total	149	96	82	729	928	
Volume Left	149	0	82	0	0	
Volume Right	0	96	0	0	143	
cSH	274	353	731	1700	1700	
Volume to Capacity	0.54	0.27	0.11	0.43	0.55	
Queue Length 95th (m)	24.0	8.7	3.0	0.0	0.0	
Control Delay (s)	32.7	18.9	10.5	0.0	0.0	
Lane LOS	D	C	B			
Approach Delay (s)	27.3		1.1		0.0	
Approach LOS	D					
Intersection Summary						
Average Delay			3.8			
Intersection Capacity Utilization			67.8%		ICU Level of Service	C
Analysis Period (min)			15			

# Windsor Intersection Needs Assessment

## 2: Wentworth Road & Empire Lane












Page C-13  
Scenario 3 - 2030 AM Peak Hour

						
Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Volume (veh/h)	37	35	52	655	478	91
Future Volume (Veh/h)	37	35	52	655	478	91
Sign Control	Stop			Free	Free	
Grade	0%			0%	0%	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	40	38	57	712	520	99
Pedestrians	5					
Lane Width (m)	3.6					
Walking Speed (m/s)	1.2					
Percent Blockage	0					
Right turn flare (veh)						
Median type				None	TWLTL	
Median storage (veh)					2	
Upstream signal (m)				327		
pX, platoon unblocked						
vC, conflicting volume	1400	574	624			
vC1, stage 1 conf vol	574					
vC2, stage 2 conf vol	826					
vCu, unblocked vol	1400	574	624			
tC, single (s)	6.4	6.2	4.1			
tC, 2 stage (s)	5.4					
tF (s)	3.5	3.3	2.2			
p0 queue free %	88	93	94			
cM capacity (veh/h)	346	516	953			
Direction, Lane #	EB 1	EB 2	NB 1	NB 2	SB 1	
Volume Total	40	38	57	712	619	
Volume Left	40	0	57	0	0	
Volume Right	0	38	0	0	99	
cSH	346	516	953	1700	1700	
Volume to Capacity	0.12	0.07	0.06	0.42	0.36	
Queue Length 95th (m)	3.1	1.9	1.5	0.0	0.0	
Control Delay (s)	16.8	12.5	9.0	0.0	0.0	
Lane LOS	C	B	A			
Approach Delay (s)	14.7		0.7		0.0	
Approach LOS	B					
Intersection Summary						
Average Delay			1.1			
Intersection Capacity Utilization			47.4%	ICU Level of Service		A
Analysis Period (min)			15			

# Windsor Intersection Needs Assessment










## 2: Wentworth Road & Empire Lane

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Scenario 3 - 2030 PM Peak Hour

						
Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Volume (veh/h)	137	88	75	563	567	132
Future Volume (Veh/h)	137	88	75	563	567	132
Sign Control	Stop			Free	Free	
Grade	0%			0%	0%	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	149	96	82	612	616	143
Pedestrians	5					
Lane Width (m)	3.6					
Walking Speed (m/s)	1.2					
Percent Blockage	0					
Right turn flare (veh)						
Median type				None	TWLTL	
Median storage (veh)					2	
Upstream signal (m)				327		
pX, platoon unblocked						
vC, conflicting volume	1468	692	764			
vC1, stage 1 conf vol	692					
vC2, stage 2 conf vol	776					
vCu, unblocked vol	1468	692	764			
tC, single (s)	6.4	6.2	4.1			
tC, 2 stage (s)	5.4					
tF (s)	3.5	3.3	2.2			
p0 queue free %	55	78	90			
cM capacity (veh/h)	331	442	845			
Direction, Lane #	EB 1	EB 2	NB 1	NB 2	SB 1	
Volume Total	149	96	82	612	759	
Volume Left	149	0	82	0	0	
Volume Right	0	96	0	0	143	
cSH	331	442	845	1700	1700	
Volume to Capacity	0.45	0.22	0.10	0.36	0.45	
Queue Length 95th (m)	17.9	6.5	2.6	0.0	0.0	
Control Delay (s)	24.5	15.4	9.7	0.0	0.0	
Lane LOS	C	C	A			
Approach Delay (s)	20.9		1.1		0.0	
Approach LOS	C					
Intersection Summary						
Average Delay			3.5			
Intersection Capacity Utilization			59.7%	ICU Level of Service		B
Analysis Period (min)			15			

Windsor Intersection Needs Assessment  
3: King Street & College Road










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Scenario 1 - 2021 AM Peak Hour

						
Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Volume (veh/h)	25	30	50	410	245	20
Future Volume (Veh/h)	25	30	50	410	245	20
Sign Control	Stop			Free	Free	
Grade	0%			0%	0%	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	27	33	54	446	266	22
Pedestrians				5		
Lane Width (m)				3.6		
Walking Speed (m/s)				1.2		
Percent Blockage				0		
Right turn flare (veh)						
Median type				None	None	
Median storage veh						
Upstream signal (m)						
pX, platoon unblocked						
vC, conflicting volume	831	282	288			
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	831	282	288			
tC, single (s)	6.4	6.2	4.1			
tC, 2 stage (s)						
tF (s)	3.5	3.3	2.2			
p0 queue free %	92	96	96			
cM capacity (veh/h)	325	754	1274			
Direction, Lane #	EB 1	NB 1	SB 1			
Volume Total	60	500	288			
Volume Left	27	54	0			
Volume Right	33	0	22			
cSH	473	1274	1700			
Volume to Capacity	0.13	0.04	0.17			
Queue Length 95th (m)	3.5	1.1	0.0			
Control Delay (s)	13.7	1.3	0.0			
Lane LOS	B	A				
Approach Delay (s)	13.7	1.3	0.0			
Approach LOS	B					
Intersection Summary						
Average Delay			1.7			
Intersection Capacity Utilization			53.5%	ICU Level of Service	A	
Analysis Period (min)			15			

# Windsor Intersection Needs Assessment










## 3: King Street & College Road

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Scenario 1 - 2021 PM Peak Hour

						
Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Volume (veh/h)	25	25	35	410	500	35
Future Volume (Veh/h)	25	25	35	410	500	35
Sign Control	Stop			Free	Free	
Grade	0%			0%	0%	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	27	27	38	446	543	38
Pedestrians				5		
Lane Width (m)				3.6		
Walking Speed (m/s)				1.2		
Percent Blockage				0		
Right turn flare (veh)						
Median type				None	None	
Median storage veh						
Upstream signal (m)						
pX, platoon unblocked						
vC, conflicting volume	1084	567	581			
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	1084	567	581			
tC, single (s)	6.4	6.2	4.1			
tC, 2 stage (s)						
tF (s)	3.5	3.3	2.2			
p0 queue free %	88	95	96			
cM capacity (veh/h)	231	521	993			
Direction, Lane #	EB 1	NB 1	SB 1			
Volume Total	54	484	581			
Volume Left	27	38	0			
Volume Right	27	0	38			
cSH	320	993	1700			
Volume to Capacity	0.17	0.04	0.34			
Queue Length 95th (m)	4.8	1.0	0.0			
Control Delay (s)	18.5	1.1	0.0			
Lane LOS	C	A				
Approach Delay (s)	18.5	1.1	0.0			
Approach LOS	C					
Intersection Summary						
Average Delay			1.4			
Intersection Capacity Utilization			62.1%	ICU Level of Service		B
Analysis Period (min)			15			

Windsor Intersection Needs Assessment  
3: King Street & College Road










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Scenario 2 - 2030 AM Peak Hour

						
Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Volume (veh/h)	38	39	61	492	349	38
Future Volume (Veh/h)	38	39	61	492	349	38
Sign Control	Stop			Free	Free	
Grade	0%			0%	0%	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	41	42	66	535	379	41
Pedestrians				5		
Lane Width (m)				3.6		
Walking Speed (m/s)				1.2		
Percent Blockage				0		
Right turn flare (veh)						
Median type				None	None	
Median storage veh						
Upstream signal (m)						
pX, platoon unblocked						
vC, conflicting volume	1066	404	420			
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	1066	404	420			
tC, single (s)	6.4	6.2	4.1			
tC, 2 stage (s)						
tF (s)	3.5	3.3	2.2			
p0 queue free %	82	93	94			
cM capacity (veh/h)	232	643	1139			
Direction, Lane #	EB 1	NB 1	SB 1			
Volume Total	83	601	420			
Volume Left	41	66	0			
Volume Right	42	0	41			
cSH	343	1139	1700			
Volume to Capacity	0.24	0.06	0.25			
Queue Length 95th (m)	7.5	1.5	0.0			
Control Delay (s)	18.8	1.5	0.0			
Lane LOS	C	A				
Approach Delay (s)	18.8	1.5	0.0			
Approach LOS	C					
Intersection Summary						
Average Delay			2.3			
Intersection Capacity Utilization			66.0%	ICU Level of Service		C
Analysis Period (min)			15			

# Windsor Intersection Needs Assessment










## 3: King Street & College Road

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Scenario 2 - 2030 PM Peak Hour

						
Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Volume (veh/h)	48	38	45	543	622	53
Future Volume (Veh/h)	48	38	45	543	622	53
Sign Control	Stop			Free	Free	
Grade	0%			0%	0%	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	52	41	49	590	676	58
Pedestrians				5		
Lane Width (m)				3.6		
Walking Speed (m/s)				1.2		
Percent Blockage				0		
Right turn flare (veh)						
Median type				None	None	
Median storage veh						
Upstream signal (m)						
pX, platoon unblocked						
vC, conflicting volume	1393	710	734			
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	1393	710	734			
tC, single (s)	6.4	6.2	4.1			
tC, 2 stage (s)						
tF (s)	3.5	3.3	2.2			
p0 queue free %	65	91	94			
cM capacity (veh/h)	147	432	871			
Direction, Lane #	EB 1	NB 1	SB 1			
Volume Total	93	639	734			
Volume Left	52	49	0			
Volume Right	41	0	58			
cSH	208	871	1700			
Volume to Capacity	0.45	0.06	0.43			
Queue Length 95th (m)	16.9	1.4	0.0			
Control Delay (s)	35.7	1.5	0.0			
Lane LOS	E	A				
Approach Delay (s)	35.7	1.5	0.0			
Approach LOS	E					
Intersection Summary						
Average Delay			2.9			
Intersection Capacity Utilization			78.9%	ICU Level of Service		D
Analysis Period (min)			15			

Windsor Intersection Needs Assessment  
3: King Street & College Road

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Scenario 3 - 2030 AM Peak Hour










						
Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Volume (veh/h)	38	39	61	411	238	38
Future Volume (Veh/h)	38	39	61	411	238	38
Sign Control	Stop			Free	Free	
Grade	0%			0%	0%	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	41	42	66	447	259	41
Pedestrians				5		
Lane Width (m)				3.6		
Walking Speed (m/s)				1.2		
Percent Blockage				0		
Right turn flare (veh)						
Median type				None	None	
Median storage veh						
Upstream signal (m)						
pX, platoon unblocked						
vC, conflicting volume	858	284	300			
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	858	284	300			
tC, single (s)	6.4	6.2	4.1			
tC, 2 stage (s)						
tF (s)	3.5	3.3	2.2			
p0 queue free %	87	94	95			
cM capacity (veh/h)	310	751	1261			
Direction, Lane #	EB 1	NB 1	SB 1			
Volume Total	83	513	300			
Volume Left	41	66	0			
Volume Right	42	0	41			
cSH	441	1261	1700			
Volume to Capacity	0.19	0.05	0.18			
Queue Length 95th (m)	5.5	1.3	0.0			
Control Delay (s)	15.0	1.5	0.0			
Lane LOS	C	A				
Approach Delay (s)	15.0	1.5	0.0			
Approach LOS	C					
Intersection Summary						
Average Delay			2.3			
Intersection Capacity Utilization			55.9%	ICU Level of Service		B
Analysis Period (min)			15			



# Windsor Intersection Needs Assessment










## 3: King Street & College Road

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Scenario 3 - 2030 PM Peak Hour

						
Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Volume (veh/h)	48	38	45	482	496	53
Future Volume (Veh/h)	48	38	45	482	496	53
Sign Control	Stop			Free	Free	
Grade	0%			0%	0%	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	52	41	49	524	539	58
Pedestrians				5		
Lane Width (m)				3.6		
Walking Speed (m/s)				1.2		
Percent Blockage				0		
Right turn flare (veh)						
Median type				None	None	
Median storage veh						
Upstream signal (m)						
pX, platoon unblocked						
vC, conflicting volume	1190	573	597			
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	1190	573	597			
tC, single (s)	6.4	6.2	4.1			
tC, 2 stage (s)						
tF (s)	3.5	3.3	2.2			
p0 queue free %	74	92	95			
cM capacity (veh/h)	197	517	980			
Direction, Lane #	EB 1	NB 1	SB 1			
Volume Total	93	573	597			
Volume Left	52	49	0			
Volume Right	41	0	58			
cSH	271	980	1700			
Volume to Capacity	0.34	0.05	0.35			
Queue Length 95th (m)	11.8	1.3	0.0			
Control Delay (s)	25.1	1.3	0.0			
Lane LOS	D	A				
Approach Delay (s)	25.1	1.3	0.0			
Approach LOS	D					
Intersection Summary						
Average Delay			2.5			
Intersection Capacity Utilization			73.6%	ICU Level of Service		D
Analysis Period (min)			15			

Windsor Intersection Needs Assessment  
4: King Street & Chester Road










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Scenario 1 - 2021 AM Peak Hour

						
Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Volume (veh/h)	190	55	80	290	175	65
Future Volume (Veh/h)	190	55	80	290	175	65
Sign Control	Stop			Free	Free	
Grade	0%			0%	0%	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	207	60	87	315	190	71
Pedestrians	5					
Lane Width (m)	3.6					
Walking Speed (m/s)	1.2					
Percent Blockage	0					
Right turn flare (veh)						
Median type				None	None	
Median storage veh						
Upstream signal (m)						
pX, platoon unblocked						
vC, conflicting volume	720	230	266			
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	720	230	266			
tC, single (s)	6.4	6.2	4.1			
tC, 2 stage (s)						
tF (s)	3.5	3.3	2.2			
p0 queue free %	44	93	93			
cM capacity (veh/h)	367	805	1292			
Direction, Lane #	EB 1	NB 1	SB 1			
Volume Total	267	402	261			
Volume Left	207	87	0			
Volume Right	60	0	71			
cSH	418	1292	1700			
Volume to Capacity	0.64	0.07	0.15			
Queue Length 95th (m)	34.5	1.7	0.0			
Control Delay (s)	27.6	2.2	0.0			
Lane LOS	D	A				
Approach Delay (s)	27.6	2.2	0.0			
Approach LOS	D					
Intersection Summary						
Average Delay			8.9			
Intersection Capacity Utilization			56.9%	ICU Level of Service		B
Analysis Period (min)			15			

# Windsor Intersection Needs Assessment

## 4: King Street & Chester Road












Page C-22  
Scenario 1 - 2021 PM Peak Hour

						
Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Volume (veh/h)	135	75	145	265	315	235
Future Volume (Veh/h)	135	75	145	265	315	235
Sign Control	Stop			Free	Free	
Grade	0%			0%	0%	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	147	82	158	288	342	255
Pedestrians	5					
Lane Width (m)	3.6					
Walking Speed (m/s)	1.2					
Percent Blockage	0					
Right turn flare (veh)						
Median type				None	None	
Median storage veh						
Upstream signal (m)						
pX, platoon unblocked						
vC, conflicting volume	1078	474	602			
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	1078	474	602			
tC, single (s)	6.4	6.2	4.1			
tC, 2 stage (s)						
tF (s)	3.5	3.3	2.2			
p0 queue free %	27	86	84			
cM capacity (veh/h)	202	588	971			
Direction, Lane #	EB 1	NB 1	SB 1			
Volume Total	229	446	597			
Volume Left	147	158	0			
Volume Right	82	0	255			
cSH	264	971	1700			
Volume to Capacity	0.87	0.16	0.35			
Queue Length 95th (m)	58.8	4.6	0.0			
Control Delay (s)	67.8	4.5	0.0			
Lane LOS	F	A				
Approach Delay (s)	67.8	4.5	0.0			
Approach LOS	F					
Intersection Summary						
Average Delay			13.8			
Intersection Capacity Utilization			75.2%	ICU Level of Service		D
Analysis Period (min)			15			

# Windsor Intersection Needs Assessment












## 4: King Street & Chester Road

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Scenario 2 - 2030 AM Peak Hour

						
Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Volume (veh/h)	216	60	90	362	272	76
Future Volume (Veh/h)	216	60	90	362	272	76
Sign Control	Stop			Free	Free	
Grade	0%			0%	0%	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	235	65	98	393	296	83
Pedestrians	5					
Lane Width (m)	3.6					
Walking Speed (m/s)	1.2					
Percent Blockage	0					
Right turn flare (veh)						
Median type				None	None	
Median storage veh						
Upstream signal (m)						
pX, platoon unblocked						
vC, conflicting volume	932	342	384			
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	932	342	384			
tC, single (s)	6.4	6.2	4.1			
tC, 2 stage (s)						
tF (s)	3.5	3.3	2.2			
p0 queue free %	13	91	92			
cM capacity (veh/h)	270	697	1170			
Direction, Lane #	EB 1	EB 2	NB 1	NB 2	SB 1	
Volume Total	235	65	98	393	379	
Volume Left	235	0	98	0	0	
Volume Right	0	65	0	0	83	
cSH	270	697	1170	1700	1700	
Volume to Capacity	0.87	0.09	0.08	0.23	0.22	
Queue Length 95th (m)	59.6	2.5	2.2	0.0	0.0	
Control Delay (s)	67.0	10.7	8.4	0.0	0.0	
Lane LOS	F	B	A			
Approach Delay (s)	54.8		1.7		0.0	
Approach LOS	F					
Intersection Summary						
Average Delay			14.8			
Intersection Capacity Utilization			46.0%	ICU Level of Service		A
Analysis Period (min)			15			

Windsor Intersection Needs Assessment  
4: King Street & Chester Road













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Scenario 2 - 2030 PM Peak Hour

						
Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Volume (veh/h)	157	85	165	381	418	267
Future Volume (Veh/h)	157	85	165	381	418	267
Sign Control	Stop			Free	Free	
Grade	0%			0%	0%	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	171	92	179	414	454	290
Pedestrians	5					
Lane Width (m)	3.6					
Walking Speed (m/s)	1.2					
Percent Blockage	0					
Right turn flare (veh)						
Median type				None	None	
Median storage veh						
Upstream signal (m)						
pX, platoon unblocked						
vC, conflicting volume	1376	604	749			
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	1376	604	749			
tC, single (s)	6.4	6.2	4.1			
tC, 2 stage (s)						
tF (s)	3.5	3.3	2.2			
p0 queue free %	0	81	79			
cM capacity (veh/h)	126	496	856			
Direction, Lane #	EB 1	EB 2	NB 1	NB 2	SB 1	
Volume Total	171	92	179	414	744	
Volume Left	171	0	179	0	0	
Volume Right	0	92	0	0	290	
cSH	126	496	856	1700	1700	
Volume to Capacity	1.36	0.19	0.21	0.24	0.44	
Queue Length 95th (m)	90.4	5.4	6.3	0.0	0.0	
Control Delay (s)	268.5	13.9	10.3	0.0	0.0	
Lane LOS	F	B	B			
Approach Delay (s)	179.4		3.1		0.0	
Approach LOS	F					
Intersection Summary						
Average Delay			30.7			
Intersection Capacity Utilization			66.3%	ICU Level of Service		C
Analysis Period (min)			15			

# Windsor Intersection Needs Assessment

## 4: King Street & Chester Road

Page C-25  
Scenario 2 - 2030 AM Peak Hour

						
Lane Group	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Volume (vph)	216	60	90	362	272	76
Future Volume (vph)	216	60	90	362	272	76
Satd. Flow (prot)	1770	1583	1770	1863	1863	1583
Flt Permitted	0.950		0.440			
Satd. Flow (perm)	1770	1583	820	1863	1863	1542
Satd. Flow (RTOR)		65				69
Lane Group Flow (vph)	235	65	98	393	296	83
Turn Type	Prot	Perm	pm+pt	NA	NA	Perm
Protected Phases	4		5	2	6	
Permitted Phases		4	2			6
Total Split (s)	40.0	40.0	14.0	60.0	46.0	46.0
Total Lost Time (s)	6.0	6.0	4.0	6.0	6.0	6.0
Act Effct Green (s)	13.0	13.0	28.0	25.9	16.6	16.6
Actuated g/C Ratio	0.25	0.25	0.54	0.50	0.32	0.32
v/c Ratio	0.52	0.14	0.17	0.42	0.49	0.15
Control Delay	22.7	6.3	6.6	9.7	19.4	6.8
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	22.7	6.3	6.6	9.7	19.4	6.8
LOS	C	A	A	A	B	A
Approach Delay	19.1			9.1	16.6	
Approach LOS	B			A	B	
Queue Length 50th (m)	19.8	0.0	3.7	20.1	23.5	1.0
Queue Length 95th (m)	43.8	7.8	11.2	45.2	51.7	9.8
Internal Link Dist (m)	419.3			270.6	481.7	
Turn Bay Length (m)	45.0		25.0			25.0
Base Capacity (vph)	1212	1104	638	1788	1471	1232
Starvation Cap Reductn	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0
Reduced v/c Ratio	0.19	0.06	0.15	0.22	0.20	0.07

### Intersection Summary

Cycle Length: 100

Actuated Cycle Length: 51.4

Control Type: Actuated-Uncoordinated

Maximum v/c Ratio: 0.52

Intersection Signal Delay: 14.1

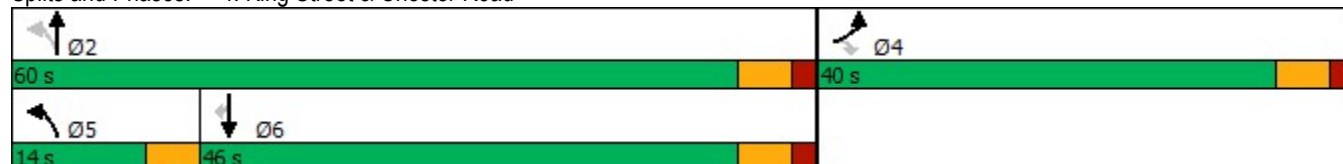
Intersection Capacity Utilization 44.6%

Analysis Period (min) 15

Intersection LOS: B

ICU Level of Service A













### Splits and Phases: 4: King Street & Chester Road



# Windsor Intersection Needs Assessment

## 4: King Street & Chester Road

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Scenario 2 - 2030 PM Peak Hour

						
Lane Group	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Volume (vph)	157	85	165	381	418	267
Future Volume (vph)	157	85	165	381	418	267
Satd. Flow (prot)	1770	1583	1770	1863	1863	1583
Flt Permitted	0.950		0.283			
Satd. Flow (perm)	1770	1583	527	1863	1863	1544
Satd. Flow (RTOR)		92				186
Lane Group Flow (vph)	171	92	179	414	454	290
Turn Type	Prot	Perm	pm+pt	NA	NA	Perm
Protected Phases	4		5	2	6	
Permitted Phases		4	2			6
Total Split (s)	29.0	29.0	16.0	71.0	55.0	55.0
Total Lost Time (s)	6.0	6.0	4.0	6.0	6.0	6.0
Act Effct Green (s)	12.2	12.2	37.1	35.0	20.9	20.9
Actuated g/C Ratio	0.20	0.20	0.62	0.59	0.35	0.35
v/c Ratio	0.47	0.23	0.33	0.38	0.70	0.44
Control Delay	27.8	7.8	6.5	7.6	23.2	8.1
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	27.8	7.8	6.5	7.6	23.2	8.1
LOS	C	A	A	A	C	A
Approach Delay	20.8			7.3	17.3	
Approach LOS	C			A	B	
Queue Length 50th (m)	17.1	0.0	6.6	20.0	42.0	7.8
Queue Length 95th (m)	41.2	11.2	16.7	43.1	81.6	26.4
Internal Link Dist (m)	419.3			270.6	28.3	
Turn Bay Length (m)	45.0		25.0			25.0
Base Capacity (vph)	704	685	586	1803	1571	1331
Starvation Cap Reductn	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0
Reduced v/c Ratio	0.24	0.13	0.31	0.23	0.29	0.22

### Intersection Summary

Cycle Length: 100

Actuated Cycle Length: 59.6

Control Type: Actuated-Uncoordinated

Maximum v/c Ratio: 0.70

Intersection Signal Delay: 14.2

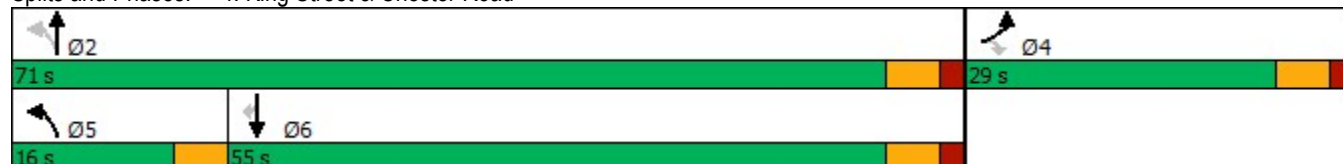
Intersection Capacity Utilization 53.2%

Analysis Period (min) 15

Intersection LOS: B












ICU Level of Service A

### Splits and Phases: 4: King Street & Chester Road



Windsor Intersection Needs Assessment  
4: King Street & Chester Road

Page C-27  
Scenario 3 - 2030 AM Peak Hour












						
Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Volume (veh/h)	160	116	110	337	181	56
Future Volume (Veh/h)	160	116	110	337	181	56
Sign Control	Stop			Free	Free	
Grade	0%			0%	0%	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	174	126	120	366	197	61
Pedestrians	5					
Lane Width (m)	3.6					
Walking Speed (m/s)	1.2					
Percent Blockage	0					
Right turn flare (veh)						
Median type				None	None	
Median storage veh						
Upstream signal (m)						
pX, platoon unblocked						
vC, conflicting volume	838	232	263			
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	838	232	263			
tC, single (s)	6.4	6.2	4.1			
tC, 2 stage (s)						
tF (s)	3.5	3.3	2.2			
p0 queue free %	43	84	91			
cM capacity (veh/h)	304	803	1296			
Direction, Lane #	EB 1	EB 2	NB 1	NB 2	SB 1	
Volume Total	174	126	120	366	258	
Volume Left	174	0	120	0	0	
Volume Right	0	126	0	0	61	
cSH	304	803	1296	1700	1700	
Volume to Capacity	0.57	0.16	0.09	0.22	0.15	
Queue Length 95th (m)	26.7	4.4	2.4	0.0	0.0	
Control Delay (s)	31.6	10.3	8.1	0.0	0.0	
Lane LOS	D	B	A			
Approach Delay (s)	22.7		2.0		0.0	
Approach LOS	C					
Intersection Summary						
Average Delay			7.4			
Intersection Capacity Utilization			38.1%	ICU Level of Service		A
Analysis Period (min)			15			



# Windsor Intersection Needs Assessment

## 4: King Street & Chester Road













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Scenario 3 - 2030 PM Peak Hour

						
Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Volume (veh/h)	115	127	235	362	362	197
Future Volume (Veh/h)	115	127	235	362	362	197
Sign Control	Stop			Free	Free	
Grade	0%			0%	0%	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	125	138	255	393	393	214
Pedestrians	5					
Lane Width (m)	3.6					
Walking Speed (m/s)	1.2					
Percent Blockage	0					
Right turn flare (veh)						
Median type				None	None	
Median storage veh						
Upstream signal (m)						
pX, platoon unblocked						
vC, conflicting volume	1408	505	612			
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	1408	505	612			
tC, single (s)	6.4	6.2	4.1			
tC, 2 stage (s)						
tF (s)	3.5	3.3	2.2			
p0 queue free %	0	76	74			
cM capacity (veh/h)	112	565	963			
Direction, Lane #	EB 1	EB 2	NB 1	NB 2	SB 1	
Volume Total	125	138	255	393	607	
Volume Left	125	0	255	0	0	
Volume Right	0	138	0	0	214	
cSH	112	565	963	1700	1700	
Volume to Capacity	1.12	0.24	0.26	0.23	0.36	
Queue Length 95th (m)	61.7	7.6	8.5	0.0	0.0	
Control Delay (s)	193.0	13.4	10.1	0.0	0.0	
Lane LOS	F	B	B			
Approach Delay (s)	98.8		4.0		0.0	
Approach LOS	F					
Intersection Summary						
Average Delay			18.8			
Intersection Capacity Utilization			60.6%	ICU Level of Service		B
Analysis Period (min)			15			

# Windsor Intersection Needs Assessment

## 4: King Street & Chester Road

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Scenario 3 - 2030 AM Peak Hour

						
Lane Group	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Volume (vph)	160	116	110	337	181	56
Future Volume (vph)	160	116	110	337	181	56
Satd. Flow (prot)	1770	1583	1770	1863	1863	1583
Flt Permitted	0.950		0.481			
Satd. Flow (perm)	1770	1583	896	1863	1863	1542
Satd. Flow (RTOR)		126				61
Lane Group Flow (vph)	174	126	120	366	197	61
Turn Type	Prot	Perm	pm+pt	NA	NA	Perm
Protected Phases	4		5	2	6	
Permitted Phases		4	2			6
Total Split (s)	39.0	39.0	16.0	61.0	45.0	45.0
Total Lost Time (s)	6.0	6.0	4.0	6.0	6.0	6.0
Act Effct Green (s)	10.0	10.0	24.4	22.4	12.6	12.6
Actuated g/C Ratio	0.22	0.22	0.55	0.50	0.28	0.28
v/c Ratio	0.44	0.28	0.18	0.39	0.38	0.13
Control Delay	20.0	5.9	6.0	8.6	18.0	6.1
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	20.0	5.9	6.0	8.6	18.0	6.1
LOS	C	A	A	A	B	A
Approach Delay	14.1			7.9	15.2	
Approach LOS	B			A	B	
Queue Length 50th (m)	12.2	0.0	4.0	16.1	13.7	0.0
Queue Length 95th (m)	30.4	10.4	11.1	35.7	33.1	7.3
Internal Link Dist (m)	419.3			270.6	481.7	
Turn Bay Length (m)	35.0		55.0			25.0
Base Capacity (vph)	1343	1232	730	1856	1621	1349
Starvation Cap Reductn	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0
Reduced v/c Ratio	0.13	0.10	0.16	0.20	0.12	0.05

### Intersection Summary

Cycle Length: 100

Actuated Cycle Length: 44.7

Control Type: Actuated-Uncoordinated

Maximum v/c Ratio: 0.44

Intersection Signal Delay: 11.5

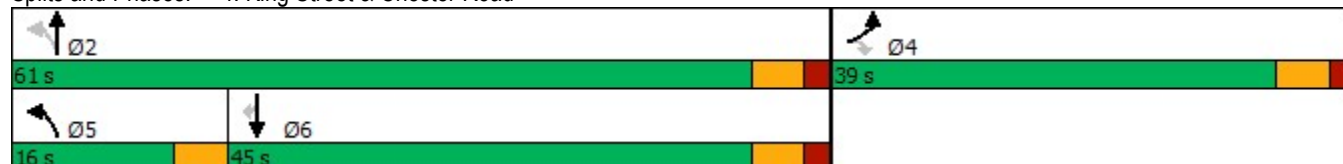
Intersection Capacity Utilization 37.8%

Analysis Period (min) 15

Intersection LOS: B

ICU Level of Service A













### Splits and Phases: 4: King Street & Chester Road



# Windsor Intersection Needs Assessment

## 4: King Street & Chester Road

Page C-30  
Scenario 3 - 2030 PM Peak Hour

						
Lane Group	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Volume (vph)	115	127	235	362	362	197
Future Volume (vph)	115	127	235	362	362	197
Satd. Flow (prot)	1770	1583	1770	1863	1863	1583
Flt Permitted	0.950		0.314			
Satd. Flow (perm)	1770	1583	585	1863	1863	1543
Satd. Flow (RTOR)		138				147
Lane Group Flow (vph)	125	138	255	393	393	214
Turn Type	Prot	Perm	pm+pt	NA	NA	Perm
Protected Phases	4		5	2	6	
Permitted Phases		4	2			6
Total Split (s)	28.0	28.0	21.0	72.0	51.0	51.0
Total Lost Time (s)	6.0	6.0	4.0	6.0	6.0	6.0
Act Effect Green (s)	9.6	9.6	36.3	34.2	17.2	17.2
Actuated g/C Ratio	0.17	0.17	0.64	0.61	0.31	0.31
v/c Ratio	0.42	0.36	0.39	0.35	0.69	0.37
Control Delay	28.0	8.4	6.1	6.4	25.0	8.1
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	28.0	8.4	6.1	6.4	25.0	8.1
LOS	C	A	A	A	C	A
Approach Delay	17.7			6.3	19.1	
Approach LOS	B			A	B	
Queue Length 50th (m)	11.8	0.0	8.8	16.9	35.8	5.0
Queue Length 95th (m)	31.4	13.8	20.2	35.5	72.7	20.6
Internal Link Dist (m)	419.3			270.6	481.7	
Turn Bay Length (m)	45.0		25.0			25.0
Base Capacity (vph)	721	726	750	1824	1517	1284
Starvation Cap Reductn	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0
Reduced v/c Ratio	0.17	0.19	0.34	0.22	0.26	0.17

### Intersection Summary

Cycle Length: 100  
 Actuated Cycle Length: 56.3  
 Control Type: Actuated-Uncoordinated  
 Maximum v/c Ratio: 0.69  
 Intersection Signal Delay: 13.4  
 Intersection Capacity Utilization 51.8%  
 Analysis Period (min) 15










Intersection LOS: B  
 ICU Level of Service A

### Splits and Phases: 4: King Street & Chester Road












Windsor Intersection Needs Assessment  
6: King Street & Cottage Street

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Scenario 2 - 2030 AM Peak Hour

						
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (veh/h)	5	15	558	20	25	348
Future Volume (Veh/h)	5	15	558	20	25	348
Sign Control	Stop		Free			Free
Grade	0%		0%			0%
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	5	16	607	22	27	378
Pedestrians						
Lane Width (m)						
Walking Speed (m/s)						
Percent Blockage						
Right turn flare (veh)						
Median type			None			None
Median storage (veh)						
Upstream signal (m)						
pX, platoon unblocked						
vC, conflicting volume	1050	618			629	
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	1050	618			629	
tC, single (s)	6.4	6.2			4.1	
tC, 2 stage (s)						
tF (s)	3.5	3.3			2.2	
p0 queue free %	98	97			97	
cM capacity (veh/h)	244	489			953	
Direction, Lane #	WB 1	NB 1	SB 1			
Volume Total	21	629	405			
Volume Left	5	0	27			
Volume Right	16	22	0			
cSH	395	1700	953			
Volume to Capacity	0.05	0.37	0.03			
Queue Length 95th (m)	1.3	0.0	0.7			
Control Delay (s)	14.6	0.0	0.9			
Lane LOS	B		A			
Approach Delay (s)	14.6	0.0	0.9			
Approach LOS	B					
Intersection Summary						
Average Delay			0.6			
Intersection Capacity Utilization			48.9%	ICU Level of Service		A
Analysis Period (min)			15			










Windsor Intersection Needs Assessment  
6: King Street & Cottage Street

Page C-32  
Scenario 2 - 2030 PM Peak Hour

						
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (veh/h)	30	30	533	5	10	645
Future Volume (Veh/h)	30	30	533	5	10	645
Sign Control	Stop		Free			Free
Grade	0%		0%			0%
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	33	33	579	5	11	701
Pedestrians						
Lane Width (m)						
Walking Speed (m/s)						
Percent Blockage						
Right turn flare (veh)						
Median type			None			None
Median storage (veh)						
Upstream signal (m)						
pX, platoon unblocked						
vC, conflicting volume	1304	582			584	
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	1304	582			584	
tC, single (s)	6.4	6.2			4.1	
tC, 2 stage (s)						
tF (s)	3.5	3.3			2.2	
p0 queue free %	81	94			99	
cM capacity (veh/h)	175	513			991	
Direction, Lane #	WB 1	NB 1	SB 1			
Volume Total	66	584	712			
Volume Left	33	0	11			
Volume Right	33	5	0			
cSH	261	1700	991			
Volume to Capacity	0.25	0.34	0.01			
Queue Length 95th (m)	7.8	0.0	0.3			
Control Delay (s)	23.4	0.0	0.3			
Lane LOS	C		A			
Approach Delay (s)	23.4	0.0	0.3			
Approach LOS	C					
Intersection Summary						
Average Delay			1.3			
Intersection Capacity Utilization			52.1%	ICU Level of Service		A
Analysis Period (min)			15			










Windsor Intersection Needs Assessment  
6: King Street & Cottage Street

Page C-33  
Scenario 2 - 2030 AM Peak Hour

						
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (veh/h)	5	15	558	20	25	343
Future Volume (Veh/h)	5	15	558	20	25	343
Sign Control	Stop		Free			Free
Grade	0%		0%			0%
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	5	16	607	22	27	373
Pedestrians						
Lane Width (m)						
Walking Speed (m/s)						
Percent Blockage						
Right turn flare (veh)						
Median type			None			None
Median storage veh						
Upstream signal (m)			52			
pX, platoon unblocked	0.87	0.87			0.87	
vC, conflicting volume	1045	618			629	
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	977	485			498	
tC, single (s)	6.4	6.2			4.1	
tC, 2 stage (s)						
tF (s)	3.5	3.3			2.2	
p0 queue free %	98	97			97	
cM capacity (veh/h)	235	506			927	
Direction, Lane #	WB 1	NB 1	SB 1			
Volume Total	21	629	400			
Volume Left	5	0	27			
Volume Right	16	22	0			
cSH	397	1700	927			
Volume to Capacity	0.05	0.37	0.03			
Queue Length 95th (m)	1.3	0.0	0.7			
Control Delay (s)	14.6	0.0	0.9			
Lane LOS	B		A			
Approach Delay (s)	14.6	0.0	0.9			
Approach LOS	B					
Intersection Summary						
Average Delay			0.6			
Intersection Capacity Utilization			48.6%	ICU Level of Service		A
Analysis Period (min)			15			

Windsor Intersection Needs Assessment  
6: King Street & Cottage Street





















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Scenario 2 - 2030 PM Peak Hour

						
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (veh/h)	20	30	533	5	10	665
Future Volume (Veh/h)	20	30	533	5	10	665
Sign Control	Stop		Free			Free
Grade	0%		0%			0%
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	22	33	579	5	11	723
Pedestrians						
Lane Width (m)						
Walking Speed (m/s)						
Percent Blockage						
Right turn flare (veh)						
Median type			None			None
Median storage veh						
Upstream signal (m)			52			
pX, platoon unblocked	0.88	0.88			0.88	
vC, conflicting volume	1326	582			584	
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	1303	456			458	
tC, single (s)	6.4	6.2			4.1	
tC, 2 stage (s)						
tF (s)	3.5	3.3			2.2	
p0 queue free %	86	94			99	
cM capacity (veh/h)	154	532			970	
Direction, Lane #	WB 1	NB 1	SB 1			
Volume Total	55	584	734			
Volume Left	22	0	11			
Volume Right	33	5	0			
cSH	269	1700	970			
Volume to Capacity	0.20	0.34	0.01			
Queue Length 95th (m)	6.0	0.0	0.3			
Control Delay (s)	21.8	0.0	0.3			
Lane LOS	C		A			
Approach Delay (s)	21.8	0.0	0.3			
Approach LOS	C					
Intersection Summary						
Average Delay			1.0			
Intersection Capacity Utilization			53.0%	ICU Level of Service		A
Analysis Period (min)			15			

# Windsor Intersection Needs Assessment

## 4: King Street & Chester Road/Cottage Street

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Scenario 2 - 2030 AM Peak Hour

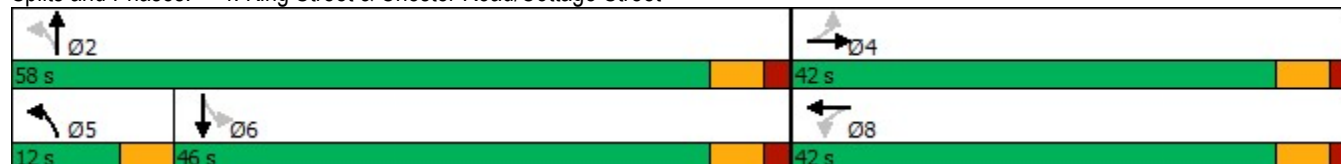
												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	216	5	60	5	1	15	90	342	15	15	267	76
Future Volume (vph)	216	5	60	5	1	15	90	342	15	15	267	76
Satd. Flow (prot)	1770	1604	0	0	1662	0	1770	1852	0	1770	1791	0
Flt Permitted	0.743				0.947		0.356			0.532		
Satd. Flow (perm)	1384	1604	0	0	1591	0	663	1852	0	991	1791	0
Satd. Flow (RTOR)		65			16			3			17	
Lane Group Flow (vph)	235	70	0	0	22	0	98	388	0	16	373	0
Turn Type	Perm	NA		Perm	NA		pm+pt	NA		Perm	NA	
Protected Phases		4			8		5	2			6	
Permitted Phases	4			8			2			6		
Total Split (s)	42.0	42.0		42.0	42.0		12.0	58.0		46.0	46.0	
Total Lost Time (s)	6.0	6.0			6.0		4.0	6.0		6.0	6.0	
Act Effct Green (s)	15.9	15.9			15.9		30.0	27.9		19.1	19.1	
Actuated g/C Ratio	0.28	0.28			0.28		0.53	0.49		0.34	0.34	
v/c Ratio	0.60	0.14			0.05		0.20	0.42		0.05	0.61	
Control Delay	26.5	6.6			10.6		8.2	11.1		15.9	21.6	
Queue Delay	0.0	0.0			0.0		0.0	0.0		0.0	0.0	
Total Delay	26.5	6.6			10.6		8.2	11.1		15.9	21.6	
LOS	C	A			B		A	B		B	C	
Approach Delay		22.0			10.6			10.5			21.4	
Approach LOS		C			B			B			C	
Queue Length 50th (m)	22.0	0.4			0.5		4.4	22.9		1.2	32.9	
Queue Length 95th (m)	50.2	8.9			5.4		13.6	53.5		5.6	69.8	
Internal Link Dist (m)		419.3			114.8			270.6			481.7	
Turn Bay Length (m)	45.0						35.0			15.0		
Base Capacity (vph)	933	1103			1078		518	1642		727	1318	
Starvation Cap Reductn	0	0			0		0	0		0	0	
Spillback Cap Reductn	0	0			0		0	0		0	0	
Storage Cap Reductn	0	0			0		0	0		0	0	
Reduced v/c Ratio	0.25	0.06			0.02		0.19	0.24		0.02	0.28	

### Intersection Summary

Cycle Length: 100  
Actuated Cycle Length: 56.5  
Control Type: Actuated-Uncoordinated  
Maximum v/c Ratio: 0.61  
Intersection Signal Delay: 16.9  
Intersection Capacity Utilization 65.0%  
Analysis Period (min) 15

Intersection LOS: B  
ICU Level of Service C

### Splits and Phases: 4: King Street & Chester Road/Cottage Street
























# Windsor Intersection Needs Assessment

## 4: King Street & Chester Road/Cottage Street

Page C-36  
Scenario 2 - 2030 PM Peak Hour

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	157	1	85	25	5	25	165	376	5	10	398	262
Future Volume (vph)	157	1	85	25	5	25	165	376	5	10	398	262
Satd. Flow (prot)	1770	1587	0	0	1709	0	1770	1859	0	1770	1734	0
Flt Permitted	0.719				0.838		0.146			0.520		
Satd. Flow (perm)	1339	1587	0	0	1464	0	272	1859	0	969	1734	0
Satd. Flow (RTOR)		92			27			1			52	
Lane Group Flow (vph)	171	93	0	0	59	0	179	414	0	11	718	0
Turn Type	Perm	NA		Perm	NA		pm+pt	NA		Perm	NA	
Protected Phases		4			8		5	2			6	
Permitted Phases	4			8			2			6		
Total Split (s)	27.0	27.0		27.0	27.0		13.0	73.0		60.0	60.0	
Total Lost Time (s)	6.0	6.0			6.0		4.0	6.0		6.0	6.0	
Act Effct Green (s)	15.2	15.2			15.2		50.4	48.3		35.1	35.1	
Actuated g/C Ratio	0.20	0.20			0.20		0.66	0.63		0.46	0.46	
v/c Ratio	0.64	0.24			0.19		0.50	0.35		0.02	0.87	
Control Delay	43.1	9.2			20.4		10.6	7.5		11.1	29.2	
Queue Delay	0.0	0.0			0.0		0.0	0.0		0.0	0.0	
Total Delay	43.1	9.2			20.4		10.6	7.5		11.1	29.2	
LOS	D	A			C		B	A		B	C	
Approach Delay		31.2			20.4			8.4			28.9	
Approach LOS		C			C			A			C	
Queue Length 50th (m)	23.9	0.1			4.0		8.5	24.9		0.9	85.0	
Queue Length 95th (m)	54.9	13.1			16.5		19.8	47.3		3.7	149.6	
Internal Link Dist (m)		419.3			114.8			270.6			481.7	
Turn Bay Length (m)	45.0						35.0			15.0		
Base Capacity (vph)	389	526			445		366	1599		717	1297	
Starvation Cap Reductn	0	0			0		0	0		0	0	
Spillback Cap Reductn	0	0			0		0	0		0	0	
Storage Cap Reductn	0	0			0		0	0		0	0	
Reduced v/c Ratio	0.44	0.18			0.13		0.49	0.26		0.02	0.55	

### Intersection Summary

Cycle Length: 100

Actuated Cycle Length: 76.2

Control Type: Actuated-Uncoordinated

Maximum v/c Ratio: 0.87

Intersection Signal Delay: 21.6

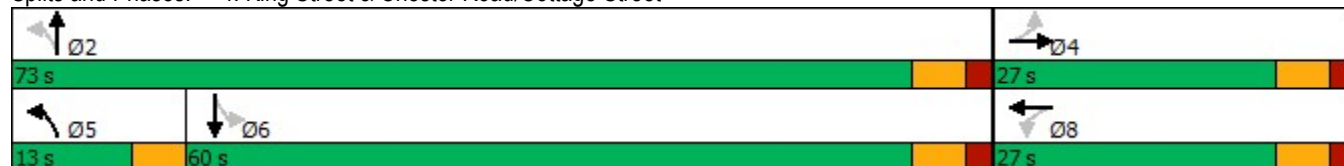
Intersection Capacity Utilization 75.0%

Analysis Period (min) 15

Intersection LOS: C

ICU Level of Service D





















### Splits and Phases: 4: King Street & Chester Road/Cottage Street



# Windsor Intersection Needs Assessment

## 4: King Street & Chester Road/Cottage Street

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Scenario 3 - 2030 AM Peak Hour

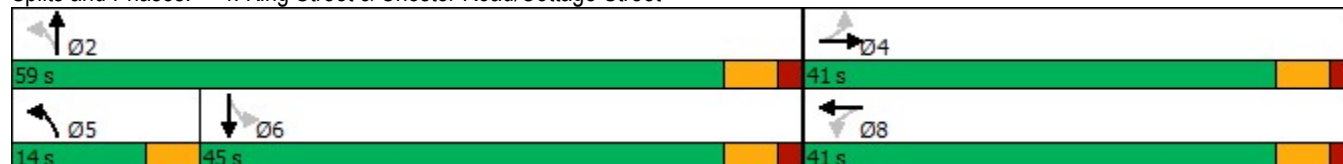
												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	160	5	116	5	1	15	110	317	15	15	176	56
Future Volume (vph)	160	5	116	5	1	15	110	317	15	15	176	56
Satd. Flow (prot)	1770	1595	0	0	1662	0	1770	1850	0	1770	1784	0
Flt Permitted	0.743				0.927		0.482			0.546		
Satd. Flow (perm)	1384	1595	0	0	1558	0	898	1850	0	1017	1784	0
Satd. Flow (RTOR)		126			16			4			19	
Lane Group Flow (vph)	174	131	0	0	22	0	120	361	0	16	252	0
Turn Type	Perm	NA		Perm	NA		pm+pt	NA		Perm	NA	
Protected Phases		4			8		5	2			6	
Permitted Phases	4			8			2			6		
Total Split (s)	41.0	41.0		41.0	41.0		14.0	59.0		45.0	45.0	
Total Lost Time (s)	6.0	6.0			6.0		4.0	6.0		6.0	6.0	
Act Effct Green (s)	12.6	12.6			12.6		27.6	25.6		16.0	16.0	
Actuated g/C Ratio	0.25	0.25			0.25		0.55	0.51		0.32	0.32	
v/c Ratio	0.50	0.27			0.06		0.19	0.38		0.05	0.44	
Control Delay	23.6	6.0			10.3		6.6	9.1		15.6	17.6	
Queue Delay	0.0	0.0			0.0		0.0	0.0		0.0	0.0	
Total Delay	23.6	6.0			10.3		6.6	9.1		15.6	17.6	
LOS	C	A			B		A	A		B	B	
Approach Delay		16.0			10.3			8.5			17.5	
Approach LOS		B			B			A			B	
Queue Length 50th (m)	14.7	0.4			0.5		4.4	17.3		1.1	17.8	
Queue Length 95th (m)	33.2	11.1			5.0		12.9	39.8		5.3	41.9	
Internal Link Dist (m)		419.3			114.8			270.6			481.7	
Turn Bay Length (m)	45.0						35.0			15.0		
Base Capacity (vph)	987	1174			1116		668	1785		797	1403	
Starvation Cap Reductn	0	0			0		0	0		0	0	
Spillback Cap Reductn	0	0			0		0	0		0	0	
Storage Cap Reductn	0	0			0		0	0		0	0	
Reduced v/c Ratio	0.18	0.11			0.02		0.18	0.20		0.02	0.18	

### Intersection Summary

Cycle Length: 100  
Actuated Cycle Length: 50.5  
Control Type: Actuated-Uncoordinated  
Maximum v/c Ratio: 0.50  
Intersection Signal Delay: 12.9  
Intersection Capacity Utilization 60.6%  
Analysis Period (min) 15

Intersection LOS: B  
ICU Level of Service B




















### Splits and Phases: 4: King Street & Chester Road/Cottage Street



# Windsor Intersection Needs Assessment

## 4: King Street & Chester Road/Cottage Street

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Scenario 3 - 2030 PM Peak Hour

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	115	1	127	25	5	25	233	357	5	10	342	194
Future Volume (vph)	115	1	127	25	5	25	233	357	5	10	342	194
Satd. Flow (prot)	1770	1585	0	0	1709	0	1770	1859	0	1770	1746	0
Flt Permitted	0.719				0.807		0.186			0.530		
Satd. Flow (perm)	1339	1585	0	0	1410	0	346	1859	0	987	1746	0
Satd. Flow (RTOR)		138			27			2			42	
Lane Group Flow (vph)	125	139	0	0	59	0	253	393	0	11	583	0
Turn Type	Perm	NA		Perm	NA		pm+pt	NA		Perm	NA	
Protected Phases		4			8		5	2			6	
Permitted Phases	4			8			2			6		
Total Split (s)	24.0	24.0		24.0	24.0		19.0	76.0		57.0	57.0	
Total Lost Time (s)	6.0	6.0			6.0		4.0	6.0		6.0	6.0	
Act Effct Green (s)	12.7	12.7			12.7		45.6	43.5		26.5	26.5	
Actuated g/C Ratio	0.18	0.18			0.18		0.66	0.63		0.39	0.39	
v/c Ratio	0.51	0.34			0.21		0.51	0.33		0.03	0.84	
Control Delay	36.9	8.8			20.0		9.3	6.6		13.5	29.5	
Queue Delay	0.0	0.0			0.0		0.0	0.0		0.0	0.0	
Total Delay	36.9	8.8			20.0		9.3	6.6		13.5	29.5	
LOS	D	A			B		A	A		B	C	
Approach Delay		22.1			20.0			7.6			29.2	
Approach LOS		C			B			A			C	
Queue Length 50th (m)	15.2	0.1			3.6		10.1	19.2		0.9	63.4	
Queue Length 95th (m)	39.1	15.5			15.8		27.1	40.1		4.1	117.0	
Internal Link Dist (m)		419.3			114.8			270.6			481.7	
Turn Bay Length (m)	45.0						35.0			15.0		
Base Capacity (vph)	367	535			406		555	1730		761	1356	
Starvation Cap Reductn	0	0			0		0	0		0	0	
Spillback Cap Reductn	0	0			0		0	0		0	0	
Storage Cap Reductn	0	0			0		0	0		0	0	
Reduced v/c Ratio	0.34	0.26			0.15		0.46	0.23		0.01	0.43	

### Intersection Summary

Cycle Length: 100

Actuated Cycle Length: 68.8

Control Type: Actuated-Uncoordinated

Maximum v/c Ratio: 0.84

Intersection Signal Delay: 18.7

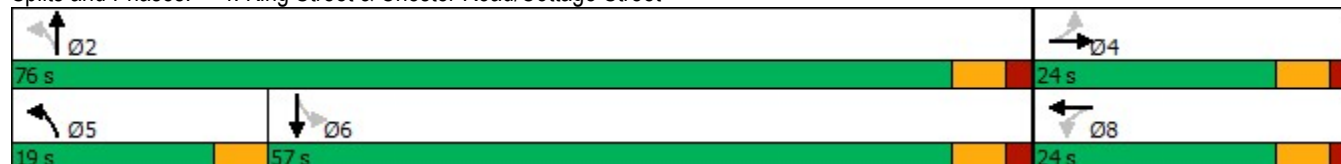
Intersection Capacity Utilization 77.9%

Analysis Period (min) 15

Intersection LOS: B

ICU Level of Service D











### Splits and Phases: 4: King Street & Chester Road/Cottage Street



# Windsor Intersection Needs Assessment











## 6: King Street & Cottage Street

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Scenario 2 - 2030 AM Peak Hour

						
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (veh/h)	5	15	558	20	25	343
Future Volume (Veh/h)	5	15	558	20	25	343
Sign Control	Stop		Free			Free
Grade	0%		0%			0%
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	5	16	607	22	27	373
Pedestrians						
Lane Width (m)						
Walking Speed (m/s)						
Percent Blockage						
Right turn flare (veh)						
Median type			None			None
Median storage (veh)						
Upstream signal (m)			52			
pX, platoon unblocked	0.87	0.87			0.87	
vC, conflicting volume	1045	618			629	
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	977	485			498	
tC, single (s)	6.4	6.2			4.1	
tC, 2 stage (s)						
tF (s)	3.5	3.3			2.2	
p0 queue free %	98	97			97	
cM capacity (veh/h)	235	506			927	
Direction, Lane #	WB 1	NB 1	SB 1	SB 2		
Volume Total	21	629	27	373		
Volume Left	5	0	27	0		
Volume Right	16	22	0	0		
cSH	397	1700	927	1700		
Volume to Capacity	0.05	0.37	0.03	0.22		
Queue Length 95th (m)	1.3	0.0	0.7	0.0		
Control Delay (s)	14.6	0.0	9.0	0.0		
Lane LOS	B		A			
Approach Delay (s)	14.6	0.0	0.6			
Approach LOS	B					
Intersection Summary						
Average Delay			0.5			
Intersection Capacity Utilization			40.6%	ICU Level of Service		A
Analysis Period (min)			15			












Windsor Intersection Needs Assessment  
6: King Street & Cottage Street

Page C-40  
Scenario 2 - 2030 PM Peak Hour

						
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (veh/h)	20	30	533	5	10	665
Future Volume (Veh/h)	20	30	533	5	10	665
Sign Control	Stop		Free			Free
Grade	0%		0%			0%
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	22	33	579	5	11	723
Pedestrians						
Lane Width (m)						
Walking Speed (m/s)						
Percent Blockage						
Right turn flare (veh)						
Median type			None			None
Median storage veh						
Upstream signal (m)			52			
pX, platoon unblocked	0.88	0.88			0.88	
vC, conflicting volume	1326	582			584	
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	1303	456			458	
tC, single (s)	6.4	6.2			4.1	
tC, 2 stage (s)						
tF (s)	3.5	3.3			2.2	
p0 queue free %	86	94			99	
cM capacity (veh/h)	154	532			970	
Direction, Lane #	WB 1	NB 1	SB 1	SB 2		
Volume Total	55	584	11	723		
Volume Left	22	0	11	0		
Volume Right	33	5	0	0		
cSH	269	1700	970	1700		
Volume to Capacity	0.20	0.34	0.01	0.43		
Queue Length 95th (m)	6.0	0.0	0.3	0.0		
Control Delay (s)	21.8	0.0	8.8	0.0		
Lane LOS	C		A			
Approach Delay (s)	21.8	0.0	0.1			
Approach LOS	C					
Intersection Summary						
Average Delay			0.9			
Intersection Capacity Utilization			45.0%		ICU Level of Service	A
Analysis Period (min)			15			












Windsor Intersection Needs Assessment  
5: King Street & Payzant Drive Connector












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Scenario 3 - 2030 AM Peak Hour

						
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (veh/h)	98	78	448	90	112	264
Future Volume (Veh/h)	98	78	448	90	112	264
Sign Control	Stop		Free			Free
Grade	0%		0%			0%
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	107	85	487	98	122	287
Pedestrians						
Lane Width (m)						
Walking Speed (m/s)						
Percent Blockage						
Right turn flare (veh)						
Median type			None			None
Median storage (veh)						
Upstream signal (m)						
pX, platoon unblocked						
vC, conflicting volume	1067	536			585	
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	1067	536			585	
tC, single (s)	6.4	6.2			4.1	
tC, 2 stage (s)						
tF (s)	3.5	3.3			2.2	
p0 queue free %	50	84			88	
cM capacity (veh/h)	215	545			990	
Direction, Lane #	WB 1	WB 2	NB 1	SB 1	SB 2	
Volume Total	107	85	585	122	287	
Volume Left	107	0	0	122	0	
Volume Right	0	85	98	0	0	
cSH	215	545	1700	990	1700	
Volume to Capacity	0.50	0.16	0.34	0.12	0.17	
Queue Length 95th (m)	20.0	4.4	0.0	3.4	0.0	
Control Delay (s)	37.1	12.8	0.0	9.1	0.0	
Lane LOS	E	B		A		
Approach Delay (s)	26.4		0.0	2.7		
Approach LOS	D					
Intersection Summary						
Average Delay			5.2			
Intersection Capacity Utilization			50.7%	ICU Level of Service		A
Analysis Period (min)			15			

Windsor Intersection Needs Assessment  
5: King Street & Payzant Drive Connector

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Scenario 3 - 2030 PM Peak Hour

						
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (veh/h)	82	122	542	83	104	452
Future Volume (Veh/h)	82	122	542	83	104	452
Sign Control	Stop		Free			Free
Grade	0%		0%			0%
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	89	133	589	90	113	491
Pedestrians						
Lane Width (m)						
Walking Speed (m/s)						
Percent Blockage						
Right turn flare (veh)						
Median type			None			None
Median storage (veh)						
Upstream signal (m)						
pX, platoon unblocked						
vC, conflicting volume	1351	634			679	
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	1351	634			679	
tC, single (s)	6.4	6.2			4.1	
tC, 2 stage (s)						
tF (s)	3.5	3.3			2.2	
p0 queue free %	39	72			88	
cM capacity (veh/h)	145	479			913	
Direction, Lane #	WB 1	WB 2	NB 1	SB 1	SB 2	
Volume Total	89	133	679	113	491	
Volume Left	89	0	0	113	0	
Volume Right	0	133	90	0	0	
cSH	145	479	1700	913	1700	
Volume to Capacity	0.61	0.28	0.40	0.12	0.29	
Queue Length 95th (m)	26.0	9.0	0.0	3.4	0.0	
Control Delay (s)	62.8	15.4	0.0	9.5	0.0	
Lane LOS	F	C		A		
Approach Delay (s)	34.4		0.0	1.8		
Approach LOS	D					
Intersection Summary						
Average Delay			5.8			
Intersection Capacity Utilization			53.9%	ICU Level of Service		A
Analysis Period (min)			15			

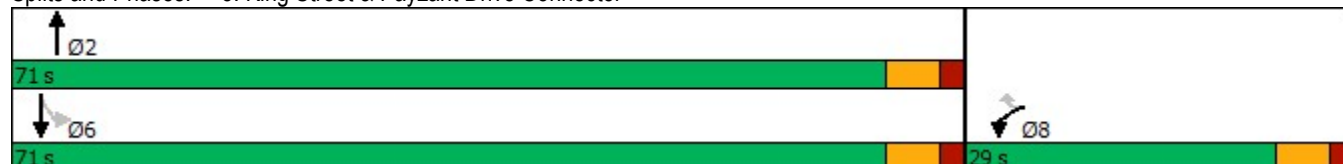
						
Lane Group	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (vph)	86	78	443	92	112	264
Future Volume (vph)	86	78	443	92	112	264
Satd. Flow (prot)	1770	1583	1820	0	1770	1863
Flt Permitted	0.950				0.373	
Satd. Flow (perm)	1770	1583	1820	0	695	1863
Satd. Flow (RTOR)		85	21			
Lane Group Flow (vph)	93	85	582	0	122	287
Turn Type	Prot	Perm	NA		Perm	NA
Protected Phases	8		2			6
Permitted Phases		8			6	
Total Split (s)	29.0	29.0	71.0		71.0	71.0
Total Lost Time (s)	6.0	6.0	6.0		6.0	6.0
Act Effct Green (s)	10.2	10.2	23.0		23.0	23.0
Actuated g/C Ratio	0.25	0.25	0.57		0.57	0.57
v/c Ratio	0.21	0.18	0.56		0.31	0.27
Control Delay	15.1	5.9	10.2		9.7	7.4
Queue Delay	0.0	0.0	0.0		0.0	0.0
Total Delay	15.1	5.9	10.2		9.7	7.4
LOS	B	A	B		A	A
Approach Delay	10.7		10.2			8.1
Approach LOS	B		B			A
Queue Length 50th (m)	4.9	0.0	28.9		5.3	12.1
Queue Length 95th (m)	16.8	8.5	53.9		14.3	23.2
Internal Link Dist (m)	175.3		96.2			92.2
Turn Bay Length (m)	15.0				25.0	
Base Capacity (vph)	1019	947	1820		695	1863
Starvation Cap Reductn	0	0	0		0	0
Spillback Cap Reductn	0	0	0		0	0
Storage Cap Reductn	0	0	0		0	0
Reduced v/c Ratio	0.09	0.09	0.32		0.18	0.15

#### Intersection Summary












Cycle Length: 100  
 Actuated Cycle Length: 40.4  
 Control Type: Actuated-Uncoordinated  
 Maximum v/c Ratio: 0.56  
 Intersection Signal Delay: 9.5  
 Intersection Capacity Utilization 64.7%  
 Analysis Period (min) 15

Intersection LOS: A  
 ICU Level of Service C

#### Splits and Phases: 5: King Street & Payzant Drive Connector





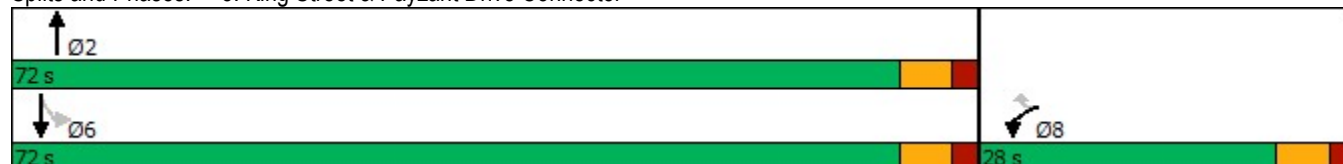
						
Lane Group	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (vph)	90	120	542	85	104	457
Future Volume (vph)	90	120	542	85	104	457
Satd. Flow (prot)	1770	1583	1829	0	1770	1863
Flt Permitted	0.950				0.281	
Satd. Flow (perm)	1770	1583	1829	0	523	1863
Satd. Flow (RTOR)		130	17			
Lane Group Flow (vph)	98	130	681	0	113	497
Turn Type	Prot	Perm	NA		Perm	NA
Protected Phases	8		2			6
Permitted Phases		8			6	
Total Split (s)	28.0	28.0	72.0		72.0	72.0
Total Lost Time (s)	6.0	6.0	6.0		6.0	6.0
Act Effct Green (s)	10.4	10.4	24.7		24.7	24.7
Actuated g/C Ratio	0.22	0.22	0.52		0.52	0.52
v/c Ratio	0.25	0.29	0.71		0.42	0.51
Control Delay	18.1	6.4	13.0		12.4	9.5
Queue Delay	0.0	0.0	0.0		0.0	0.0
Total Delay	18.1	6.4	13.0		12.4	9.5
LOS	B	A	B		B	A
Approach Delay	11.4		13.0			10.0
Approach LOS	B		B			A
Queue Length 50th (m)	6.2	0.0	37.4		5.1	24.1
Queue Length 95th (m)	19.9	11.4	70.4		15.6	44.7
Internal Link Dist (m)	175.3		96.2			92.2
Turn Bay Length (m)	15.0				25.0	
Base Capacity (vph)	836	816	1829		523	1863
Starvation Cap Reductn	0	0	0		0	0
Spillback Cap Reductn	0	0	0		0	0
Storage Cap Reductn	0	0	0		0	0
Reduced v/c Ratio	0.12	0.16	0.37		0.22	0.27

#### Intersection Summary

Cycle Length: 100  
 Actuated Cycle Length: 47.3  
 Control Type: Actuated-Uncoordinated  
 Maximum v/c Ratio: 0.71  
 Intersection Signal Delay: 11.6  
 Intersection Capacity Utilization 69.5%  
 Analysis Period (min) 15

Intersection LOS: B  
 ICU Level of Service C

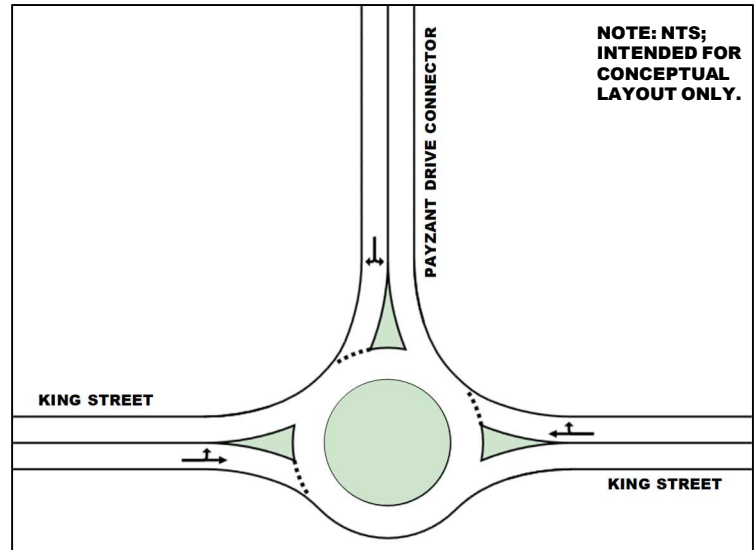
#### Splits and Phases: 5: King Street & Payzant Drive Connector



# **ARCADY ANALYSIS – 2030 AM & PM PEAK HOUR**

## **Scenario 3**

## **King Street at Payzant Drive**



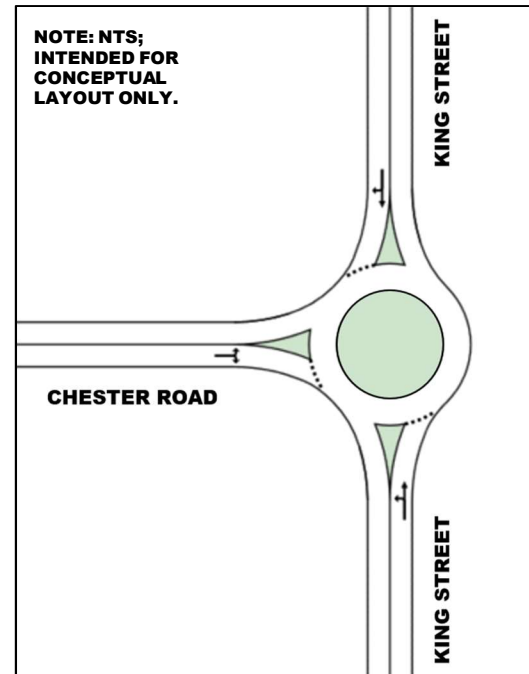
Arm	V- Approach Road half- width (m)	E-Entry Width (m)	I'- Effective flare length (m)	R – Entry Radius (m)	D – Inscribed circle diameter (m)	PHI – Conflict (entry) angle (deg)
King Street SB	3.5	3.5	0	30	50	20
King Street NB	3.5	3.5	0	30	50	20
Payzant Drive EB	3.5	3.5	0	30	50	20

LOS Criteria	Control Delay (sec/veh), Level of Service (LOS), v/c Ratio, and 95 <sup>th</sup> %ile Queue (m) by Intersection Movement			Overall Intersection	
	Payzant Drive Connector	King Street			
	EB	NB	SB	Delay	LOS
Scenario 3 - 2030 AM Peak Hour <i>with</i> Payzant Drive Connection					
Delay	5.4	5.7	8.2	6.9	A
LOS	A	A	A		
v/c	0.21	0.40	0.57		
Queue	8.4	18.9	10.5		
Scenario 3 - 2030 PM Peak Hour <i>with</i> Payzant Drive Connection					
Delay	6.5	8.5	10.5	9.1	A
LOS	A	A	B		
v/c	0.29	0.59	0.67		
Queue	11.2	11.9	33.6		

# **ARCADY ANALYSIS – 2030 AM & PM PEAK HOUR**

## **Scenario 2**

## **King Street at Chester Road**



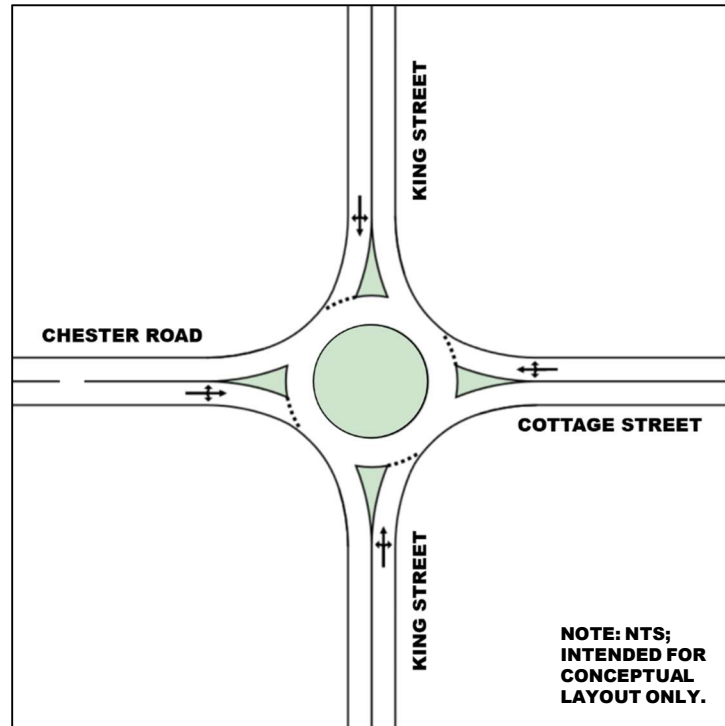
Arm	V- Approach Road half- width (m)	E-Entry Width (m)	l'- Effective flare length (m)	R – Entry Radius (m)	D – Inscribed circle diameter (m)	PHI – Conflict (entry) angle (deg)
King Street SB	3.5	3.5	0	30	50	20
King Street NB	3.5	3.5	0	30	50	20
Payzant Drive EB	3.5	3.5	0	30	50	20

LOS Criteria	Control Delay (sec/veh), Level of Service (LOS), v/c Ratio, and 95 <sup>th</sup> %ile Queue (m) by Intersection Movement			Overall Intersection	
	Chester Road	King Street			
	EB	NB	SB	Delay	LOS
Scenario 2 - 2030 AM Peak Hour <i>without Payzant Drive Connection</i>					
Delay	5.2	7.1	4.7	6.0	A
LOS	A	A	A		
v/c	0.31	0.49	0.25		
Queue	13.3	14.0	9.8		
Scenario 2 - 2030 PM Peak Hour <i>without Payzant Drive Connection</i>					
Delay	5.8	9.7	10.4	9.3	A
LOS	A	A	B		
v/c	0.30	0.64	0.64		
Queue	12.6	20.3	24.5		

# **ARCADY ANALYSIS – 2030 AM & PM PEAK HOUR**

## **Scenario 2**

### **King Street at Chester Road/ Cottage Street *Without* Payzant Drive Connector**



Arm	V- Approach Road half- width (m)	E-Entry Width (m)	I'- Effective flare length (m)	R – Entry Radius (m)	D – Inscribed circle diameter (m)	PHI – Conflict (entry) angle (deg)
Wentworth Rd SB	3.5	3.5	0	30	50	20
Wentworth Rd NB	3.5	3.5	0	30	50	20
Payzant Dr WB	3.5	3.5	0	30	50	20
Payzant Dr EB	3.5	3.5	0	30	50	20

LOS Criteria	Control Delay (sec/veh), Level of Service (LOS), v/c Ratio, and 95 <sup>th</sup> %ile Queue (m) by Intersection Movement				Overall Intersection	
	Chester Road	Cottage Street	King Street			
	EB	WB	NB	SB	Delay	LOS
Scenario 2 - 2030 AM Peak Hour <i>without</i> Payzant Drive Connection						
Delay	5.4	4.9	7.1	4.8	6.0	A
LOS	A	A	A	A		
v/c	0.32	0.03	0.49	0.26		
Queue	14.0	3.5	14.7	7.7		
Scenario 2 - 2030 PM Peak Hour <i>without</i> Payzant Drive Connection						
Delay	5.9	5.7	9.8	10.5	9.2	A
LOS	A	A	A	B		
v/c	0.30	0.09	0.64	0.64		
Queue	12.6	3.5	21.7	23.1		



Committee of the Whole Excerpts  
September 14, 2021

### **Traffic Calming**

At the Council meeting on July 27, 2021, staff were directed to identify and report back on potential traffic calming measures/solutions for problematic roads that experience speeding under the ownership of the municipality. CAO advised that the policy be adopted with a supplementary piece added to address the questions surrounding cost of adopting a policy when the report returns to council and revisit at that time.

### **The recommended motion was...**

**... THAT THE WEST HANTS REGIONAL MUNICIPALITY DEVELOP A TRAFFIC CALMING POLICY AND PROGRAM THAT INCLUDES PUBLIC PARTICIPATION TO ADDRESS TRAFFIC CONCERNS RELATING TO TRAFFIC SPEEDS AND NOISE ON RESIDENTIAL STREETS.**

September 14, 2021

# Traffic Calming Memo

Committee of the Whole Presentation



## What is Traffic Calming?

### Traffic Calming Advantages

### Traffic Calming Disadvantages

### Traffic Calming Objectives

### Traffic Calming Process

### Traffic Calming Toolbox

### Recommendations

### Q & A

# What is Traffic Calming?

- Defined as “the combination of mainly physical measures that reduce the negative effects of motor vehicle use, alter driver behaviour and improve conditions for non-motorized street users”.<sup>1</sup>
- Traffic calming measures can be effective in addressing issues related to:
  - Vehicle speed
  - Excessive traffic volume
  - Noise pollution
  - Overall neighbourhood safety and comfort
- Traffic calming measures can be a combination of vertical and horizontal deflections, road narrowing and access restriction. Commonly utilized traffic calming measures may include:
  - Speed humps
  - Traffic circles
  - Curb extensions
  - Curb radius reduction
  - Raised median islands

<sup>1</sup> Institute of Traffic Engineers (ITE) Subcommittee on Traffic Calming, 1997

What is Traffic Calming?

**Traffic Calming Advantages**

Traffic Calming Disadvantages

Traffic Calming Objectives

Traffic Calming Process

Traffic Calming Toolbox

Recommendation

Q & A

## Traffic Calming Advantages

Traffic calming measures can have a number of positive and negative impacts.

Some advantages include:

- Reduced motor vehicle speeds & traffic volume
- Discouraged through vehicular traffic
- Improved roadside aesthetic by using attractive materials
- Reduced noise & air pollution
- Improved neighbourhood livability
- Reduced conflict between roadway users



What is Traffic Calming?

Traffic Calming Advantages

**Traffic Calming Disadvantages**

Traffic Calming Objectives

Traffic Calming Process

Traffic Calming Toolbox

Recommendation

Q & A

## Traffic Calming Disadvantages

Traffic calming measures can have a number of positive and negative impacts.

Some disadvantages include:

- Increased travel speed between traffic calming features
- Reduced ease of vehicular access in and out of neighbourhoods
- Increased vehicular travel time and trip length
- Increased emergency vehicle response time
- Diverted vehicular traffic onto neighbouring roadways
- Decreased roadside aesthetic by using unattractive materials
- Increased noise pollution
- Cost considerations

What is Traffic Calming?

Traffic Calming Advantages

Traffic Calming Disadvantages

**Traffic Calming Objectives**

Traffic Calming Process

Traffic Calming Toolbox

Recommendation

Q & A

## Traffic Calming Objectives

To address undesirable traffic conditions on local and collector roadways, the specific objectives of traffic calming are to:

- Increase the Safety of Neighbourhoods
- Improve the Liveability of Neighbourhoods
- Restore Streets to their Intended Function
- Preserve Access and Minimize Impact to Emergency & Maintenance Services
- Promote Public Participation and Community Support

What is Traffic Calming?

Traffic Calming Advantages

Traffic Calming Disadvantages

Traffic Calming Objectives

**Traffic Calming Process**

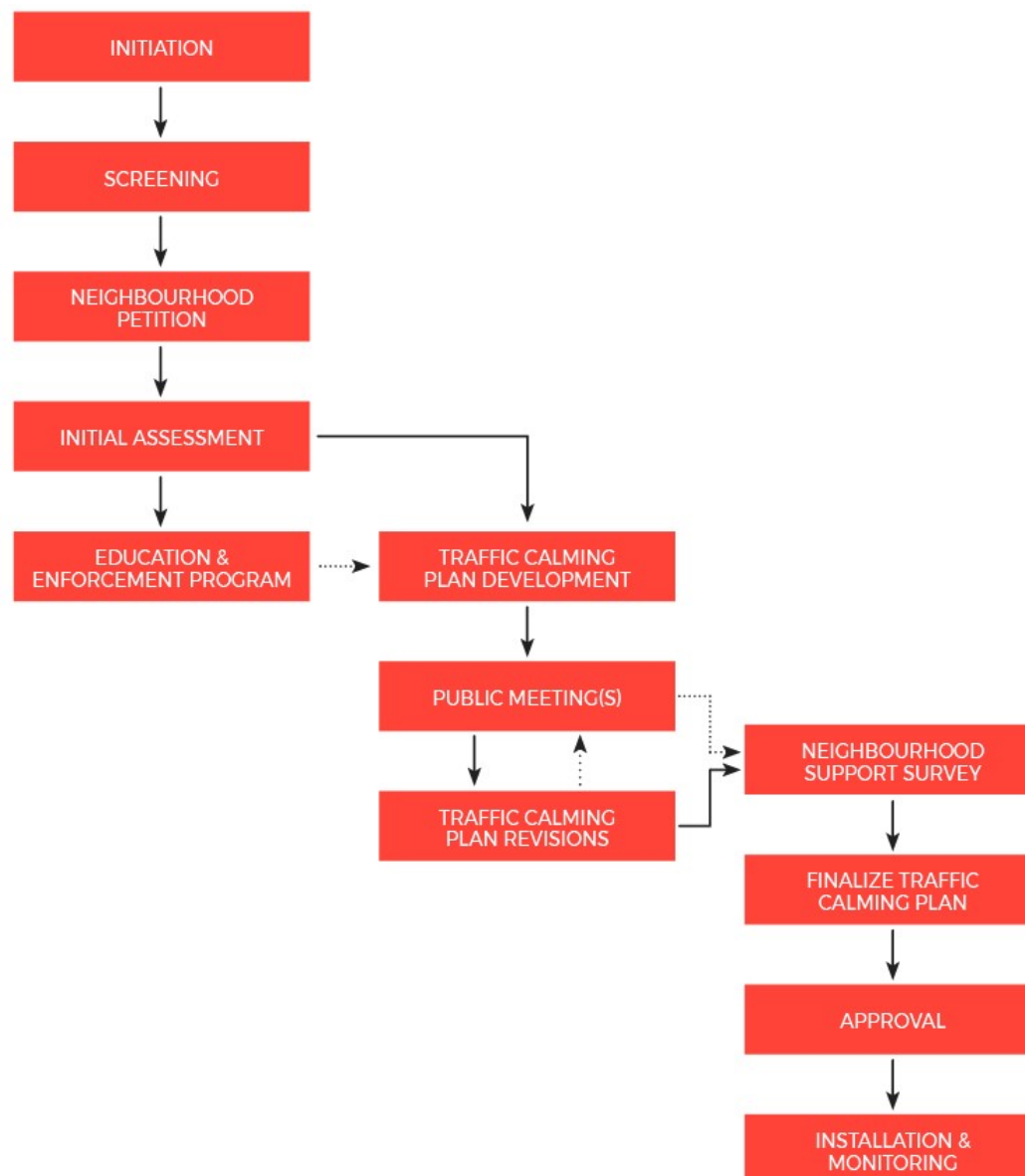
Traffic Calming Toolbox

Recommendation

Q & A

## Traffic Calming Process

A key component of the process is community engagement and effective communication with residents.



wsp

What is Traffic Calming?

Traffic Calming Advantages

Traffic Calming Disadvantages

Traffic Calming Objectives

**Traffic Calming Process**

Traffic Calming Toolbox

Recommendation

Q & A

# Traffic Calming Process

## 1) Initiation

- Resident(s) or a councillor with traffic related concerns are instructed to submit a written request to investigate traffic calming within their neighbourhood to WHRM.

## 2) Screening

- WHRM staff will then conduct a brief preliminary assessment to determine if the requested roadway meets initial screening criteria. Screening criteria may include that the street:
  - Be owned and maintained by the Municipality
  - Be classified as either a local or collector roadway
  - Not be a multi-lane roadway
  - Not have a posted speed limit greater than 50km/hr
  - Not be shorter in length than 150m
  - Not provide direct access to an emergency services building
  - Be in an area where the zoning is primarily residential
- If the initial screening criteria is met, then the next step in the process is initiated; otherwise, the street is not considered for traffic calming.

What is Traffic Calming?

Traffic Calming Advantages

Traffic Calming Disadvantages

Traffic Calming Objectives

**Traffic Calming Process**

Traffic Calming Toolbox

Recommendation

Q & A

## Traffic Calming Process

### 3) Neighbourhood Petition

- A neighbourhood petition is conducted to determine the level of support to initiate an investigation into the need for traffic calming on the requested roadway.
- Without public support, the traffic calming measures intended to alleviate traffic concerns could be met with negative public opinion and, as a result, jeopardize the outcome and potential positive impacts of the affected neighbourhood.
- A certain percentage of households (67% requirement from the Town of Riverview policy)<sup>2</sup> with direct frontage onto the section of roadway being considered for traffic calming, must indicate support in order to proceed with an investigation.

<sup>2</sup> Town of Riverview. 2015. Traffic Calming Policy. p.7

What is Traffic Calming?

Traffic Calming Advantages

Traffic Calming Disadvantages

Traffic Calming Objectives

**Traffic Calming Process**

Traffic Calming Toolbox

Recommendation

Q & A

## Traffic Calming Process

### 4) Initial Assessment

- WHRM staff conduct the traffic review to quantify/qualify traffic concerns within a neighbourhood.

		HALIFAX REGIONAL MUNICIPALITY <sup>1,2</sup>	TOWN OF RIVERVIEW <sup>3</sup>
CRITERIA	85TH PERCENTILE SPEED	<p>85<sup>th</sup> percentile speed must exceed 40 km/hr to consider traffic calming.</p> <p>Where in a school zone, 85<sup>th</sup> percentile speed must exceed 40 km/hr and/or exceed 30 km/hr during school arrival and dismissal times to consider traffic calming.</p> <p>Where designated a local street bikeway, 85<sup>th</sup> percentile speed must exceed 30 km/hr (or meet the traffic volume criteria below) to consider traffic calming. 85<sup>th</sup> percentile speed exceeding 45 km/hr will necessitate traffic calming.</p>	<p>In addition to the traffic volume criteria presented below, 85<sup>th</sup> percentile speed must be a minimum of 10 km/hr over the posted speed limit to consider traffic calming.</p> <p>Where 85<sup>th</sup> percentile speed equals or exceeds 15 km/hr over the posted speed limit, there is no minimum traffic volume requirement.</p>
	TRAFFIC VOLUME	<p>For streets that are not designated local street bikeways, traffic volumes are only assessed for project ranking purposes.</p> <p>Where designated a local street bikeway, traffic volumes must exceed 1,000 vpd (or meet the traffic speed criteria above) to consider traffic calming.</p>	<p>For residential local streets, annual average daily traffic must exceed 500 vpd.</p> <p>For urban collector minor roadways, annual average daily traffic must exceed 5,000 vpd.</p>



What is Traffic Calming?

Traffic Calming Advantages

Traffic Calming Disadvantages

Traffic Calming Objectives

**Traffic Calming Process**

Traffic Calming Toolbox

Recommendation

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## Traffic Calming Process

### 5) Education and Enforcement Program

- Municipal staff conduct an education and/or enforcement program over a period of one to six months and monitor the effectiveness of the techniques used in the program in addressing the identified issue. <sup>6</sup>
- Some education and enforcement techniques identified within the Canadian Guide to Traffic Calming include:
  - Active and Safe Routes to School Program
  - Pace Car Program
  - Vehicle Activated Signs
  - Targeted Education Campaigns
  - Mobile Speed Enforcement
- If data collection results indicate that the issue was not resolved through education and/or enforcement techniques, then the traffic calming process continues to the Traffic Calming Plan Development stage.

<sup>6</sup> Solomon, H., Malone, B., Garcia, J. et al. 2017. Canadian Guide to Traffic Calming, Second Edition. Ottawa, ON: Transportation Association of Canada. p.25

What is Traffic Calming?

Traffic Calming Advantages

Traffic Calming Disadvantages

Traffic Calming Objectives

**Traffic Calming Process**

Traffic Calming Toolbox

Recommendation

Q & A

## Traffic Calming Process

### 6) Traffic Calming Plan Development

- Based on location context, appropriate traffic calming measures are selected based on a toolbox of traffic calming measures.
- A plan could include one or more different types of traffic calming techniques. Once municipal staff have prepared concept drawings of the traffic calming measures, consultation with emergency and maintenance services is conducted.
- Modifications to the plan are made to address concerns. **If the concerns cannot be remedied, the traffic calming process will be discontinued.**

### 7) Public Meeting(s)

- Municipal staff host a public information meeting or open house to present the traffic calming plan and explain the rationale behind the specific preferred traffic calming treatment(s).
- The public meeting provides residents with an opportunity to become involved in the process, learn more about the proposed traffic calming treatment(s) and to provide their feedback.



What is Traffic Calming?

Traffic Calming Advantages

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Traffic Calming Objectives

**Traffic Calming Process**

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Recommendation

Q & A

## Traffic Calming Process

### 8) Traffic Calming Plan Revisions

- Modifications to the plan may be made to address feedback received from the public. If major changes are made to the plan, additional consultation with emergency and maintenance services and another public meeting may be required.

### 9) Neighbourhood Support Survey

- A neighbourhood support survey is completed to determine the level of support for the traffic calming plan and to provide an opportunity for the most directly affected residents to support or oppose any modifications to the road.
- A certain percentage (typically 50-70%) of total surveys submitted must be in favour of the traffic calming plan to proceed with installation.
- If the support rate is not met, the traffic calming process will be discontinued.

What is Traffic Calming?

Traffic Calming Advantages

Traffic Calming Disadvantages

Traffic Calming Objectives

**Traffic Calming Process**

Traffic Calming Toolbox

Recommendation

Q & A

## Traffic Calming Process

### 10) Finalize Traffic Calming Plan

- Staff finalize the traffic calming plan by developing detailed engineering drawings that consider aspects such as geometric roadway design, surface drainage, utility locations, signage placement, cost and adherence to municipal specifications.
- Alterations to the traffic calming plan may be necessary if limitations are identified that make the original plan not feasible. Additional consultation with emergency and maintenance services and the public may be required if significant modifications have been made to the plan.

### 11) Approval

- Upon completion of the detailed engineering drawings and the calculation of a construction cost estimate, approval by the municipal council is requested.
- If approved, installation of the traffic calming measures is completed; otherwise, the traffic calming process is discontinued.

What is Traffic Calming?

Traffic Calming Advantages

Traffic Calming Disadvantages

Traffic Calming Objectives

**Traffic Calming Process**

Traffic Calming Toolbox

Recommendation

Q & A

## Traffic Calming Process

### 12) Installation & Monitoring

- Traffic calming measures are installed. Municipal staff may decide to utilize interim and/or temporary treatments based on budget constraints and/or to provide time to examine the impacts of the measures prior to permanent installation.
- Monitoring of traffic calming treatments is conducted to determine the effectiveness and impact to the subject road and surrounding road network. Monitoring programs may include, but are not limited to, assessments of:
  - Before and after 85th percentile speed and traffic volumes on the subject road
  - Traffic diversion to other local and/or collector roadways
  - Before and after traffic noise levels
  - Before and after collision frequency and severity
  - Before and after active transportation user activity
  - Impacts to emergency and maintenance services
  - Resident feedback

What is Traffic Calming?

Traffic Calming Advantages

Traffic Calming Disadvantages

Traffic Calming Objectives

**Traffic Calming Process**

Traffic Calming Toolbox

Recommendation

Q & A

## Traffic Calming Process

### 12) Installation & Monitoring

- If data collection results indicate that traffic calming objectives (e.g. reduction in traffic speed) were not met, municipal staff may consider implementing additional measures and/or discuss potential enforcement alternatives with police services, if deemed appropriate.
- If traffic calming objectives are met and there were no associated operational and/or safety impacts, no further action is required if permanent installations were already implemented. If temporary treatments were installed, permanent installations can be pursued.
- Removal of the measures may be warranted if the installation of traffic calming measures resulted in unforeseen operational and/or safety impacts and/or there is support for removal from residents in the associated neighbourhood.

What is Traffic Calming?

Traffic Calming Advantages

Traffic Calming Disadvantages

Traffic Calming Objectives

Traffic Calming Process

**Traffic Calming Toolbox**

Recommendations

Q & A

# Traffic Calming Toolbox

## Horizontal Deflection

- Horizontal deflection traffic calming measures create a lateral shift in the vehicular travel path of a roadway corridor.
- Depending on the selected measure, it can discourage speeding and/or shortcutting.
- Examples of horizontal deflection traffic calming measures include:
  - Chicanes
  - Curb radius reductions
  - Lateral roadway shifts
  - Traffic circles





What is Traffic Calming?

Traffic Calming Advantages

Traffic Calming Disadvantages

Traffic Calming Objectives

Traffic Calming Process

**Traffic Calming Toolbox**

Recommendations

Q & A

# Traffic Calming Toolbox

## Vertical Deflection

- Vertical deflection traffic calming measures create a vertical upward movement for vehicles to encourage drivers to slow down on the approach in order to avoid damaging the vehicle and/or experiencing an unpleasant sensation.
- Examples of vertical deflection traffic calming measures include:
  - Raised active transportation crossings
  - Raised intersections
  - Speed cushions
  - Speed humps



What is Traffic Calming?

Traffic Calming Advantages

Traffic Calming Disadvantages

Traffic Calming Objectives

Traffic Calming Process

**Traffic Calming Toolbox**

Recommendation

Q & A

## Traffic Calming Toolbox

### Road Narrowing

- Narrowing a road (both physically and perceived) can help to calm traffic by increasing a driver's feeling of confinement to encourage them to slow down and be more aware of their surroundings.
- Examples of road narrowing measures include:
  - Curb extensions
  - Painted lane narrowing
  - On-street parking
  - Tree planting
  - Raised median island



What is Traffic Calming?

Traffic Calming Advantages

Traffic Calming Disadvantages

Traffic Calming Objectives

Traffic Calming Process

**Traffic Calming Toolbox**

Recommendation

Q & A

# Traffic Calming Toolbox

## Access Restriction

- Access restrictions help to calm traffic by reducing the number of vehicles traveling along a street by prohibiting all or a few vehicular turning movements into and/or out of a street.
- This can be done through signage and/or physical obstruction.
- Examples of access restrictions include:
  - Directional closures
  - Diverters
  - Full closures
  - Raised median through intersection
  - Right-in / right-out island



wsp



What is Traffic Calming?

Traffic Calming Advantages

Traffic Calming Disadvantages

Traffic Calming Objectives

Traffic Calming Process

Traffic Calming Toolbox

**Recommendation**

Q & A

## Recommendation

It is recommended that West Hants Regional Municipality develop a traffic calming policy and program that includes public participation to address traffic concerns relating to traffic speeds and noise on residential streets.

What is Traffic Calming?

Traffic Calming Advantages

Traffic Calming Disadvantages

Traffic Calming Objectives

Traffic Calming Process

Traffic Calming Toolbox

Recommendation

Q & A

# Q & A

Thank you

[courtney.mccarthy@wsp.com](mailto:courtney.mccarthy@wsp.com)



Committee of the Whole Excerpts  
September 14, 2021

### **WHRM EMERGENCY MANAGEMENT PLAN**

Under the authority of West Hants Regional Municipality Emergency Management By-Law RE-002, the Committee of the Whole is named the WHRM EMO Advisory Committee.

**The recommended motion was...**

**... COUNCIL TO APPROVE THE WEST HANTS REGIONAL MUNICIPALITY'S  
EMERGENCY MANAGEMENT PLAN 2021.**



## WEST HANTS REGIONAL MUNICIPALITY REPORT

Information <input type="checkbox"/>	Recommendation X	Decision Request <input type="checkbox"/>	Councilor Activity <input type="checkbox"/>
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**To:** Committee of the Whole

**Submitted by:** \_\_\_\_\_  
Rick Sherrard, Emergency Management Coordinator

**Date:** September 14, 2021

**Subject:** West Hants Regional Municipality - Emergency Management Plan (EMP)

---

### LEGISLATIVE AUTHORITY

Emergency Management Act R.S.N.S. 1990 c.8 s.10

WHRM Emergency Management By-law RE-002 s.6b

West Hants Regional Municipality Meeting and Committee Procedural Policy RCOGE-003.00

### RECOMMENDATION or DECISION REQUEST

...that it be recommended to Council that Council approve the West Hants Regional Municipality's Emergency Management Plan 2021.

### BACKGROUND

Property <input type="checkbox"/>	Public Opinion <input type="checkbox"/>	Environment <input type="checkbox"/>	Social <input type="checkbox"/>	Economic <input type="checkbox"/>	Councilor Activity <input type="checkbox"/>
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The Meeting and Committees Procedural Policy RCOGE-003.00 outlines one of the COTW purposes is:

"to carry out the duties of the Regional Emergency Management Advisory Committee as set forth the Regional Emergency Management By-law of the Municipality; "

The West Hants Emergency Management Organization (EMO) Advisory Committee has the mandate to advise Council on the development and maintenance of emergency management plans and present such plans to Council.

The most current Emergency Management Plan was approved by Council in 2014.

## **DISCUSSION**

With the creation of the West Hants Regional Municipality (WHRM), its Emergency Management By-law RE-002 and creation of the Municipal Emergency Management Organization, it was determined that the existing EMP required a refresh.

There have not been any fundamental changes made to the 2014 EMP. It has been updated where applicable, with narrative added to clarify Emergency Operations Centre (EOC) General Operating Guidelines and activation protocol. We have also added evacuation guidelines.

It is important to understand that any EMP is a fluid document and requires continuous review and updating.

## **NEXT STEPS**

Should the recommendation be supported, it will go before Council at the September 28, 2021 Council meeting for approval.

## **FINANCIAL IMPLICATIONS**

This Emergency Management Plan has no financial implications on current budgets of the Municipality.

Any future resources identified to prevent, respond to, and recover from a disaster will be presented annually to Council for consideration.

## **ALTERNATIVES**

The Committee of the Whole could choose to not support the recommendation.

## **ATTACHMENTS**

West Hants Regional Municipality's Emergency Management Plan 2021

## **CHIEF ADMINISTRATIVE OFFICER REVIEW**

Report Prepared by: \_\_\_\_\_  
Rick Sherrard, Emergency Management Coordinator

Report Reviewed by: \_\_\_\_\_  
Shelleena Thornton, Municipal Operations Supervisor

Report Approved by: \_\_\_\_\_  
Mark Phillips, CAO

# WWH

WINDSOR / WEST HANTS

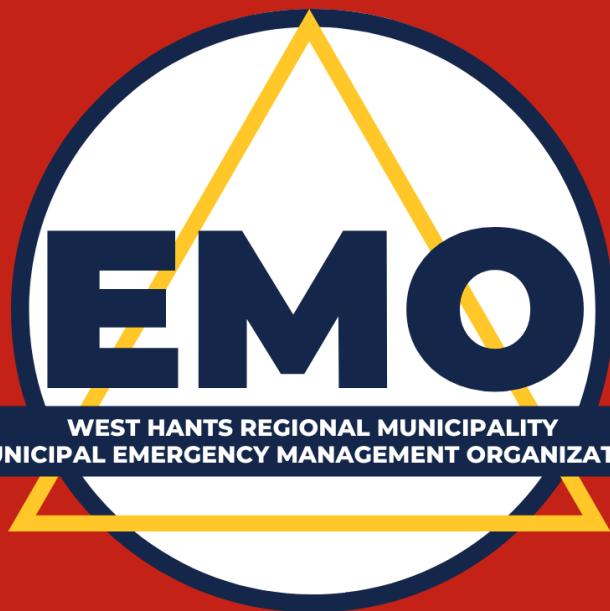
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# TOGETHER

2021

## Emergency Management Plan

West Hants Regional Municipality





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# **West Hants Regional Municipality (WHRM)**

## **Emergency Management Plan**

### **Executive Summary**

#### **Introduction**

This plan results from the recognition on the part of local government and provincial officials that a comprehensive plan is needed to enhance the Province's ability to manage emergency/disaster situations. It was prepared by Emergency Management officials working as a team in a planning process. This plan constitutes an integral part of a province wide emergency management program and contributes to its effectiveness. Authority to undertake this effort is provided by both the province's Emergency Management Act and the West Hants Regional Municipality (WHRM) Emergency Management By-law. The development of this plan included an analysis of potential hazards that could affect our region and an assessment of our capabilities to deal with these potential hazards.

#### **Comprehensive Approach**

Dealing with disasters is an ongoing and complex undertaking. Through implementation of risk reduction measures before a disaster or emergency occurs, timely and effective response during an actual occurrence, and provision of both short- and long-term recovery assistance after the occurrence of a disaster, lives can be saved, and property damage minimized.

This process is called comprehensive emergency management to emphasize the interrelationship of activities, functions, and expertise necessary to deal with emergencies. This plan contains five sections to deal separately with each part of this ongoing process.

#### **Management Responsibilities**

The emergency management responsibilities of departments and organizations are outlined in this plan. Assignments are made within the framework of the present WHRM capability and existing organizational responsibilities. The Municipal Emergency Management Organization (EMO) is designated to coordinate all emergency management activities within the region. In this process EMO intends to use the Incident Command System (ICS) to respond to emergencies. ICS is a management tool for the command, control, and coordination of resources and personnel in an emergency.

Provincial responsibilities are closely related to the responsibility of the local levels of government within the Province (cities, towns and municipalities) to manage all phases of an emergency. The Province has the responsibility to assist the local governments in the event that they have fully committed their resources and are still unable to cope with any disaster.

Similarly, the Canadian Government is obligated to provide assistance to the Province after resources have been fully committed and the Province is unable to cope with the disaster.

This plan describes in detail the centralized direction of requests for assistance and the understanding that the governmental jurisdiction most affected by an emergency is required to fully involve itself in the emergency prior to requesting assistance.

Specific emergency management guidance for situations requiring special knowledge, technical expertise, and resources may be addressed in separate annexes attached to this plan. Examples of this type of situation are emergencies resulting from hazardous chemical releases, dam failures, or power outages.

## **Conclusion**

This plan provides general all-hazards management guidance, using existing organizations, to allow the WHRM to meet the responsibilities before, during and after an emergency. Therefore, it is recommended that this Emergency Plan (EP) be reviewed and approved by Municipal Council annually.

## **West Hants Regional Municipality Emergency Management Plan**

### **Section I: GENERAL CONSIDERATIONS AND PLANNING GUIDELINES**

#### **Legal Authority**

This Plan, in whole or in part, may rely upon the following laws for the power necessary for its development and implementation.

- Emergency Management Act of the Province of Nova Scotia
- West Hants Regional Municipality – Emergency Management By-law RE-002

#### **Guidance Regarding Comprehensive Emergency Management**

1. A wide variety of emergencies, caused by nature or technology, result in loss of life, property and income, disrupt the normal functions of government, communities and families, and cause human suffering.
2. Government must provide leadership and direction to prevent, mitigate, respond to, and recover from dangers and problems arising from emergencies within its municipal jurisdiction.
3. Under authority of the Emergency Management Act of the Province of Nova Scotia, a municipality is authorized to develop a Comprehensive Emergency Management Plan to prevent, mitigate, respond to and recover from emergencies and disasters. To meet this responsibility, the WHRM has developed this Comprehensive Emergency Management Plan.
4. This concept of Comprehensive Emergency Management includes three phases:
  - Risk Reduction (Prevention and Mitigation)
  - Response
  - Recovery
5. Risk Reduction (Prevention and Mitigation):
  - Prevention refers to those short- or long-term activities which eliminate or reduce the number of occurrences of disasters.
  - Mitigation refers to all activities which reduce the effects of disasters when they do occur.
  - Section II of this Plan, Risk Reduction, describes activities to prevent or minimize the impact of hazards within the WHRM.

## 6. Response:

- Response operations may start before the emergency materializes, for example, on receipt of advisories that a flood, blizzard, or ice storm is approaching. This increased readiness response phase may include such pre-impact operations as:
  - Detecting, monitoring, and assessment of the hazard
  - Alerting and warning of endangered populations
  - Protective actions for the public
  - Allocating/distributing of equipment/resources
- Most response activities follow the immediate impact of an emergency. Generally, they are designed to minimize casualties and protect property to the extent possible through emergency assistance. They seek to reduce the probability of secondary damage and speed recovery operations.
- Emergency response operations are the responsibility of and controlled by the WHRM, supported by the Municipal Emergency Management Organization as appropriate.
- If the WHRM is unable to adequately respond, the Nova Scotia Emergency Management Office (NS-EMO) shall be asked to assist.

## 7. Recovery:

Recovery activities are those following a disaster to restore the community to its pre-emergency state, to correct adverse conditions that may have led to the damage, and to protect and improve the quality of life in the community. It includes risk reduction actions to prevent or mitigate a recurrence of the emergency.

## **Purpose and Objectives of the Plan**

1. This Plan sets forth the basic requirements for managing emergencies within the WHRM.
2. The objectives of the Plan are:
  - To identify, assess and prioritize local and regional vulnerabilities to emergencies or disasters and the resources available to prevent or mitigate, respond to, and recover from them.
  - To outline short, medium and long-range measures to improve the emergency management capability to manage hazards.
  - To provide that the Province and local government will take appropriate actions to prevent or mitigate effects of hazards and be prepared to respond to and recover from them when an emergency or disaster occurs.
  - To provide for the efficient utilization of all available resources during an emergency.

- To provide for the utilization and coordination of municipal, provincial, and federal programs to assist disaster victims, and to prioritize the response to the needs of the elderly, disabled, low income, and other groups which may be inordinately affected.
- Provide for the utilization and coordination of provincial and federal programs for recovery from a disaster with attention to the development of mitigation programs.

## **Concept of Operations**

1. The primary responsibility for responding to emergencies rests with WHRM.
2. WHRM and its emergency service organizations play an essential role as the first line of defense.
3. Responding to a disaster, WHRM is required to utilize its own facilities, equipment, supplies, personnel and resources first.
4. When local resources are inadequate, the Chief Administrative Officer (CAO) may obtain assistance from other municipal governments.
5. The Province may coordinate responses for requests for assistance for the local governments.
6. The Province has the authority to direct and coordinate Provincial disaster operations.
7. The Provincial Executive may obtain assistance from other municipalities or the Province when the emergency/disaster is beyond the resources of the WHRM.
8. The Provincial Legislature has assigned to NS-EMO the responsibility to coordinate provincial emergency management activities.
9. The WHRM will utilize the Incident Command System (ICS) to manage all emergencies requiring multi-agency response. EMO recommends and encourages all organizations in the WHRM involved with emergency response to utilize the ICS.
10. A request to the Province for assistance will be submitted through NS-EMO located in Dartmouth, Nova Scotia and presupposes the utilization and expenditure of personnel and resources at the local level.
11. Provincial assistance is supplemental to local emergency efforts.
12. Direction and control of Provincial risk reduction, response and recovery actions is exercised by NS-EMO.
13. Upon the occurrence of an emergency or disaster clearly beyond the management capability and emergency resources of Provincial and municipal government, the Premier may find that federal assistance is required and may request assistance from the Prime Minister by requesting a declaration of a major disaster or emergency.

## **Designation of Emergency Management Coordinator (EMC)**

1. The WHRM Emergency Management By-law RE-002 allows for the appointment of a co-coordinator of the municipal emergency management organization and prescribes the duties of the co-coordinator which shall include the preparation and co-ordination of emergency management plans for the municipality.
2. The EMC shall:
  - Chair the Municipal Emergency Management Planning Committee.
  - Coordinate and prepare municipal emergency management plans.
  - Perform such other duties as may be required by the municipality.

## **Plan Maintenance and Updating**

- The EMO is responsible for maintaining and updating this Plan.
- All departments and organizations are responsible for annual review of their emergency response role and procedures, and to provide any changes to the EMC by March 1 of each year.
- This Plan should be reviewed and updated annually with revised pages distributed by April 1 of each year.

## **West Hants Regional Municipality Emergency Management Plan**

### **Section II: RISK REDUCTION**

#### **BACKGROUND**

WHRM is a primarily rural municipality located about halfway between Halifax and Kentville. Development is concentrated in communities near Highway 101 including Windsor, Three Mile Plains, Falmouth, Hantsport and the hamlets of Brooklyn and Summerville. The proximity to Halifax and the relatively lower cost of housing have contributed to the attractiveness of the area as a bedroom community for commuters who work in the Halifax Metro area.

#### **(a) Geography**

WHRM occupies the western half of Hants County, running from the Minas Basin to the boundary with Halifax County, sharing this boundary with the East Hants municipal district. There are many points of land, inlets and islands. The mainland is made up of flat and undulating land to the West and more hills and slopes to the southwest. Much of the development is concentrated near the Minas Basin coastline and the Avon River estuary. The municipality's geography and historical settlement pattern contribute to its vulnerability to the impacts of climate change. In all, WHRM has more than 160 km of coastline, over 2,400 ha of dykeland and 30.5 km of running dike at risk from sea level rise or storm surge.

#### **(b) Climate**

This area has a very mixed climate in terms of weather systems and variations. There can be heavy snowfalls, heavy rain falls, which often are accompanied by high winds. Temperatures range from periods of moderately cold weather in the winter to hot humid stretches in the summer.

#### **(c) Population**

The West Hants Regional Municipality population totals approximately (Windsor 3,648) 19,016.

Land area is 1,253.2 square kilometers with a population density of 15.1 persons per square kilometer in the WHRM (2016). This compares to the provincial land area of 52,939.44 square kilometers with a population density of 17.4 persons per square kilometer. The population density of the community of Hantsport is 544 persons per square kilometer and the community of Windsor is 400.6 persons per square kilometer.

In 2016, WHRM (West Hants, Windsor, Hantsport) had 8,012 private dwellings occupied by usual residents.



WHRM has continued to see new residential development and modest growth in population, unlike many other areas of Nova Scotia that have experienced population decline over the past 15 to 20 years.

#### **(d) Governments**

WHRM includes the former Municipality of the District of West Hants, the former Town of Hantsport and the former Town of Windsor. Hants West is a seat of the provincial government in Nova Scotia. The WHRM is governed by a Mayor and Council. The Municipal Court House is located at 100 King Street, Windsor.

#### **(e) Services**

##### **1. Health:**

Hants Community Hospital (HCH) serves the communities of WHRM and portions of the Municipality of East Hants. Services offered include acute care, transitional care, ambulatory care, 24-hour emergency care, day surgery, physiotherapy, laboratory services, diagnostic imaging services, respiratory therapy, palliative care, geriatrics clinic, Hants Health and Wellness Team, cardiac investigation, pain clinic and Haliburton Place long-term care.

External agencies based at the HCH include Home Care Nova Scotia (Continuing Care), VON, Nova Scotia Hearing & Speech Clinic, West Hants Community Mental Health, Northwood Homecare and Internal Medicine Specialists. There are several long-term care facilities located in the region including the Windsor Elms Village and Dykeland Lodge.

##### **2. Department of Community Services:**

The office is located at 50 Empire Lane in Windsor and is responsible for the provision of emergency social services.

##### **3. Fire:**

Fire Departments located throughout WHRM have a mutual aid agreement in effect. The region has four volunteer fire departments and two substations (Brooklyn Station 2 and Southwest Hants Fire Society), Walton Fire Department also serves sections of the municipality.

##### **4. Police:**

Police services are provided by the RCMP through a Municipal Police Services Agreement (MPSA) directly with the Federal Government of Canada. In Addition, some RCMP resources include but are not limited to: Western Traffic Services, Police Dog Service, Street Crime Enforcement Unit, Forensic Identification Services, Integrated Border/Drug Enforcement Team, and RCMP Federal Operations.

## 5. Public Information:

Radio Station coverage is relatively good throughout the WHRM with coverage by both Annapolis Valley Radio Stations (Rewind 89.3 and Annapolis Valley Radio 1450) and Halifax radio stations including CBC Nova Scotia.

Local newspaper coverage is provided by the Valley Journal Advertiser and provincial papers include the Chronicle Herald.

Television Stations include Global, CTV, and CBC with locations in the Halifax Region. Local television is provided by Eastlink television. Actual television channels vary amongst providers and geography so using one's television guide as reference is key.

Website & Social Media – The following WHRM online accounts are other communication tools used to relay a variety of information:

- Website [www.westhants.ca](http://www.westhants.ca)
- Municipal Facebook [@RMWindsorWestHants](https://www.facebook.com/RMWindsorWestHants)
- Municipal Emergency Management Organization Facebook [@WestHantsRemo](https://www.facebook.com/WestHantsRemo)
- Municipal Twitter @RegMunWWH
- Municipal EMO Twitter [@WWH\\_REMO](https://twitter.com/WWH_REMO)
- Municipal YouTube <https://www.youtube.com/channel/UCPhCgbwju1JSG-V2P1uKPHw>

## 6. Communications:

The telephone is the basic means of communication. All fire departments use VHF and TMR and utilize the Nova Scotia Communications System (NSIMRS). Other government departments such as RCMP, Emergency Health Services, Natural Resources, and Transportation, use TMR and in turn may be contacted using appropriate equipment and procedures. There is an active amateur radio club located in Kings County.

## 7. Transportation:

Transportation is primarily by highway traffic. Highways Numbers 101 and 1 traverse the municipality. Highway 14 provides links to the South Shore and Central Nova Scotia. Although some train tracks exist within the county, they have not been maintained or used for many years. Most marine traffic has ceased since the closing of Fundy Gypsum and recreational use is generally the only water use.

## 8. Government Departments & Organizations:

- (a) Federal:
- Human Resources and Social Development
  - RCMP
  - Canada Border Services Agency
  - Transport Canada
  - Fisheries and Oceans Canada
  - Agriculture and Agri-Food Canada

- (b) Provincial: Department of Community Services  
Department of Transportation and Active Transit  
Department of Health and Wellness  
Department of Justice  
Department of Education  
Department of Environment and Climate Change  
Department of Labour and Advanced Education  
Department of Lands and Forestry  
Department of Communities, Culture and Heritage  
Tourism Nova Scotia (now an agency and not a department)

## **A. HAZARD ANALYSIS**

### **Designation of Hazard Mitigation**

- The EMO Advisory Committee has been designated as having the responsibility of hazard mitigation.
- They will be responsible for coordinating efforts in reducing hazards in WHRM.
- The EMC will participate as a member of the Advisory Committee

### **General:**

The spread of population and dwellings throughout the municipality, present emergency planners with communication challenges associated with the control of operations and the utilization of available resources.

The volume of road traffic is increasing, and the transportation of dangerous commodities constitutes a major hazard. The Municipality is likely to experience the effects of natural hazards or incidents associated with high winds and winter storms.

### **Fire**

The majority of dwellings are of wood construction and fire constitutes a major hazard, particularly in areas of relatively high density.

### **Road**

The continual increase in the volume of traffic will increase the danger of road accidents and planners should be aware of access routes and population location and growth.

### **High Winds**

The disruption of power and telephone services by high winds must be considered.

### **Heavy Snowfall**

Heavy snowfall has been experienced and adds to an ever-present transportation danger.

### **Explosion – Natural Gas**

The changeover to Natural Gas by industries in the region such as CKF must be considered along with the increased transportation of this hazard through the region to other areas of Nova Scotia.

### **Hazardous Materials**

There are some industries located in the region that work with hazardous materials in process management. These responses are managed by the local fire service in coordination with other hazmat teams by mutual aid agreement.

### **Forest Fires**

An ever-increasing number of residential areas are being developed where they are surrounded by forest. Hence the potential exists for a forest fire to threaten an area of human habitat.

### **Floods**

The risk of increased flooding and erosion as a result of sea level rise or storm surge is a real concern. The potential for more frequent and severe freshwater flooding during high precipitation events is a threat that is intensified by the operations of the Avon River Causeway tide gates and the upstream hydroelectric system dams.

## **Identification and Analysis of Potential Hazards**

NS-EMO working with Regional and Municipal EMC's have adopted a standard model of assessing risks and hazards. This Hazard Risk Vulnerability Assessment (HRVA) Model is found in Appendix 3 and is used in identification and analysis of potential hazards in the WHRM.

This HRVA Model examines potential hazards by considering:

- Probability -the frequency or likelihood of occurrence,
- Impact – the consequences likely to be experienced should an event occur and
- Risk Tolerance

## **B. PLANNING COMMITTEE**

1. The EMO Planning Committee will consist of the following members:

- Emergency Management Coordinator or alternate
- Chief Administrative Officer or designate
- Directors or representatives of every Municipal department or agency which has been assigned emergency related functions under the Municipality's emergency management plan, including those responsible for providing the following services:
  - i. Law Enforcement (RCMP)
  - ii. Search and rescue (GSAR)
  - iii. Fire Control

- iv. Hazardous material control
- v. Transportation
- vi. Health Care
- vii. Communication
- viii. Public Information
- ix. Utilities
- Directors or representatives of such of the following provincial departments or agencies as are willing to participate:
  - i. Nova Scotia Emergency Management Office
  - ii. Lands and Forestry
  - iii. Education
  - iv. Community Services
  - v. Health and wellness
  - vi. Transportation and Active Transit
  - vii. Agriculture
  - viii. EHS
- Information Technology Specialist
- Geographic Information System Technician
- Amateur Radio Representative

2. The EMO Planning Committee will:

- identify potential hazards in the Municipality.
- determine the probable impact each of those hazards could have on people and
- delineate the geographic areas affected by potential hazards, plot them on maps, and designate them as hazard areas.

3. Significant potential hazards to be identified and analyzed include natural, technological, and human caused hazards.

4. To comply with (2) and (3) above, hazards that pose a potential threat have been and will continue to be identified and analyzed by the Planning Committee using the provincial guideline outlined in the Emergency Management Act.

5. The hazard analysis:

- provides a basic method for analyzing and ranking the identified hazards, including identification of geographic areas and populations at risk to specific hazards.
- establishes priorities for planning for those hazards receiving a high ranking of significance.
- is to be reviewed and updated every year.

6. The Hazards Rating and Ranking Results of the hazard analysis are found in Appendix 4.

7. The complete Hazard Analysis results, including computerized maps identifying the location of hazard areas, are located at the Emergency Operations Centre (EOC).

## **C. Risk Reduction Guidance, Programs and Reports**

1. Municipal departments are authorized to:

- promote policies, programs and activities to reduce hazard risks in their area of responsibility

Examples of the above are:

- subdivision regulations and building codes that are cognizant of and take into account significant hazards in the Municipality.
- promote compliance with and enforcement of existing laws, regulations, and codes that are related to hazard risks, e. g., building and fire codes, flood plain regulations.
- encourage and assist water and wastewater treatment plants to replace chlorine use with a safer disinfectant in accordance with the regulations of the provincial Department of the Environment.
- encourage and participate in the protection of waterways and other sensitive environment areas.
- encourage provincial Department of Transportation and Active Transit to address dangerous conditions on roads used by hazardous materials carriers.

2. The Municipal Planning and Development Department is responsible for land use regulation within the Region, including advising and assisting Council regarding the creation and amendment of planning and heritage documents and policies and building regulations.

3. In all of the above activities, the EMO Planning Committee will take into account the significant hazards in the region.

4. The Planning Committee will meet annually to identify specific hazard reduction actions that could be taken for those hazards determined by the hazard analysis to be most significant.

5. For each hazard reduction action identified, the following information is to be included by the Planning Team:

- a description of the action
- a statement on the technical feasibility of the action
- the expected benefits of the action
- an estimate of the level of community support for the action

6. This information will be consolidated into a Risk Reduction Report.

7. The Risk Reduction Report will prioritize and make recommendations concerning the identified actions.

8. The Risk Reduction report will be presented to the EMO Advisory committee for review, revision, and approval or disapproval, in April of each year.
9. The Risk Reduction Report will be presented to council for consideration and funding.

## **D. Emergency Response Capability Assessment**

1. Periodic assessment of the Municipality's capability to manage emergencies that could be caused by the hazards identified is a critical part of Risk Reduction.
2. The EMO Planning Committee will, on an annual basis.  
Assess the current capability for dealing with those significant hazards that have been identified and analyzed, including but not limited to:
  - the likely time of onset of the hazard
  - the impacted communities' preparedness levels
  - the existence of effective warning systems
  - the communities' means to respond to anticipated casualties and damage
3. To assist the Planning Committee in its assessment, the EMC will conduct table-top exercises based upon specific hazards and hazard areas identified by the Committee.
4. The Committee will identify emergency response shortfalls and make recommendations for implementing corrective actions to the EMO Advisory committee.

## **E. Training of Emergency Personnel**

1. EMO has the responsibility to:
  - arrange and provide, with the assistance of the NS-EMO, training programs for emergency response personnel, as designated by the EMC.
  - encourage and support training for emergency personnel, such training programs will:
    - include information on the characteristics of hazards and their consequences and the implementation of emergency response actions including protective measures, notification procedures, and available resources.
    - include Incident Command System (ICS) training, focusing on individual roles.
    - provide emergency personnel with the variety of skills necessary to help reduce or eliminate hazards and increase their effectiveness to respond to and recover from emergencies of all types.
    - be provided in crisis situations, that requires additional specialized training and refresher training.

- conduct periodic exercises and drills to evaluate local capabilities and preparedness, including a full-scale operational exercise that tests a major portion of the elements and responsibilities in the EMO Emergency Plan, and regular drills to test readiness of warning and communication equipment.
- consult in developing training courses and exercises.
- work with the local response community to identify, or develop and implement, training programs specific to mitigation, response, and recovery from the identified hazards.
- receive technical guidance on latest techniques from provincial and federal sources, as appropriate, and request assistance as needed.

## **F. Public Education and Awareness**

1. The EMO is responsible for:
  - providing education on hazards to the public.
  - making the public aware of existing hazards in their communities.
  - familiarizing the public with the kind of protective measures developed to respond to any emergency arising from the hazard.
2. This education will:
  - cover all significant hazards
  - be available free of charge
3. Public Safety and Emergency Preparedness pamphlets, books and kits dealing with all aspects of emergency management and materials developed by NS-EMO and other provincial departments, as appropriate, will be made available for use in the program.

## **G. Monitoring of Identified Hazard Areas**

- The Public Works Department will develop, with the necessary assistance of other departments, the capability to monitor identified hazard areas, in order to detect hazardous situations in their earliest stages.
- As a hazard's emergence is detected, this information is to be immediately provided to the EMO.
- Monitoring tasks include detecting the hazard potential and taking measurements or observations of the hazard. Examples of such are rising water levels, toxic exposure levels, mass gatherings, the formation and break-up of ice jams, shore erosion, dam conditions.
- All hazard monitoring activity will be coordinated with, and make use of where available, private industry, utility companies, and volunteer organizations and individuals, as appropriate.



## **H. Special Event Bylaw**

The former Town of Windsor and District of West Hants each had a Special Event Bylaw (see appendix 5) whereby any promoter of an event where a large number of people (500 or more) are brought together to watch or participate in any type of recreational, commercial, dance or sporting event must make application for approval to the WHRM. The WHRM utilizes the same format under the provisions found in the Emergency Management Act.

These by-laws allow emergency planners to discuss, prepare and approve emergency plans for an event in coordination with the event organizers. This greatly reduces the potential of hazards associated with these events.

The Province of Nova Scotia has also issued a guideline for managing On-Highway Special Events which has been adopted by EMO (see appendices 6).

## **West Hants Regional Municipality Emergency Management Plan**

### **Section III RESPONSE**

#### **Response Organization and Assignment of Responsibilities**

##### **A. Municipal Executive Responsibilities, Powers, and Succession**

1. The WHRM is ultimately responsible for emergency response activities and:
  - may declare a State of Local Emergency in consultation with the CAO or alternate.
  - may request assistance from other municipal governments and the Province when it appears that the incident will escalate beyond the capability of local municipal resources,
  - may provide assistance to others at the request of other municipal governments.
2. The CAO
  - assumes personal oversight of the EMO if the scope and magnitude of the emergency indicates the necessity of personal management and direction of the response and recovery operations.
  - controls the use of all municipal owned resources and facilities for disaster response.
3. In the event of the unavailability of Municipal Council, the following line of command and succession has been established to ensure continuity of government and the direction of emergency operations:
  - The Mayor or designate will assume the responsibilities of council until they are available.
  - The CAO or designate will assume the management of the Emergency Operations Center (EOC).
  - The EMC will be assigned and assume responsibility until the CAO is available.

##### **B. The Role of the Emergency Management Coordinator (EMC)**

1. The EMC coordinates initial emergency response activities and may recommend to the CAO, that he advise Council to declare a state of local emergency based on the severity of the situation and the necessity to use additional executive power to respond effectively to the emergency.
2. The EMC:
  - activates one of the Emergency Operations Centre's.

- notifies and briefs all members of the Emergency Operations Center (EOC) involved in an emergency response.
- maintains and manages an EOC on a day-to-day basis.
- facilitates coordination between the EOC and:
  - the Incident Commander.
  - local governments outside the municipal unit.
  - the Province of Nova Scotia.
  - private emergency support organizations.

## **C. The EMO Emergency Response System**

1. The Incident Command System (ICS) will be used in EOC operations. Command resides at the scene. The EOC coordinates support to field operations.
  - a) WHRM endorses the use of the ICS. This allows flexibility in its implementation so that its structure can be tailored to the specific situation at hand.

The ICS should be initiated by the emergency forces first responding to an incident. (see Appendix 7 - ICS Position Descriptions)

- b) ICS is organized by functions. There are five:

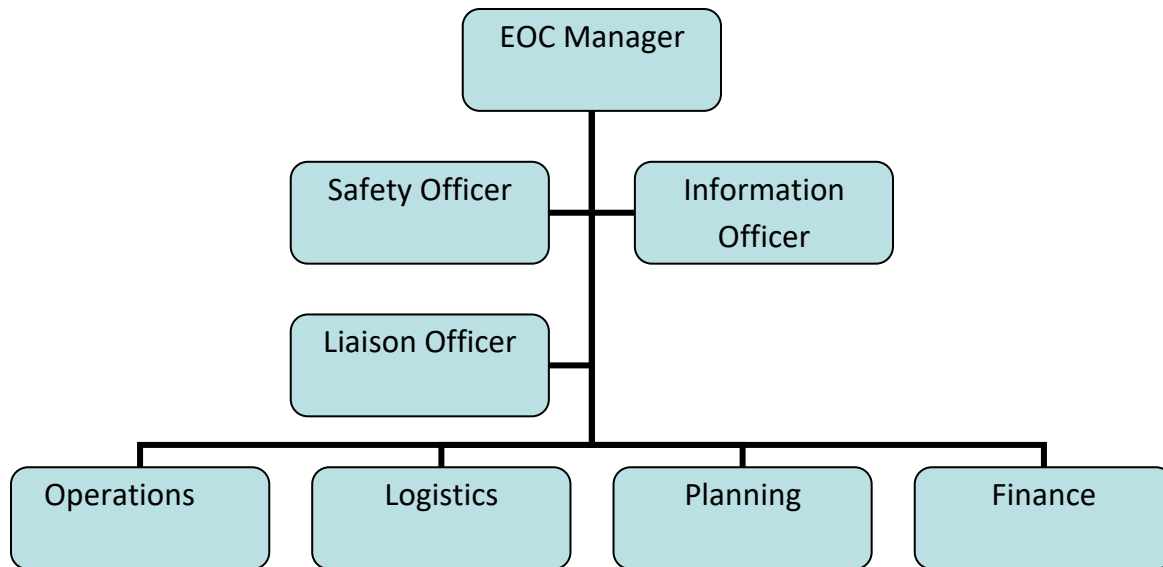
- Command
- Operations
- Planning
- Logistics
- Finance

- c) Under ICS, an Incident Commander (IC) has the overall responsibility for the effective on-scene management of the incident and must ensure that an adequate organization is in place to carry out all emergency functions. The IC directs emergency operations from an Incident Command Post, the only command post at the emergency scene.
    - d) Although a single IC normally handles the command function, an ICS organization may be expanded into a Unified Command (UC). The UC is a structure that brings together the ICs of all major organizations involved in the incident in order to coordinate an effective response while at the same time carrying out their own jurisdictional responsibilities. The UC links the organizations responding to the incident and provides a forum for these entities to make consensus decisions. Under the UC, the various jurisdictions and/or agencies and non-government responders may blend together throughout the operation to create an integrated response team.

The UC is responsible for overall management of the incident. The UC directs incident activities, including development and implementation of overall objectives and strategies, and approves ordering and releasing of resources. Members of the UC work together to develop a common set of incident objectives and strategies, share information, maximize the use of available resources, and enhance the efficiency of the individual response organizations.

The UC is not "decision by committee." The principals are there to command the response to an incident. Time is of the essence. The UC should develop synergy based on the significant capabilities that are brought by the various representatives. There should be personal acknowledgement of each representative's unique capabilities, a shared understanding of the situation, and agreement on the common objectives. With the different perspectives on the UC comes the risk of disagreements, most of which can be resolved through an understanding of the underlying issues. Contentious issues may arise, but the UC framework provides a forum and a process to resolve problems and find solutions. If situations arise where members of the UC cannot reach consensus, the UC member representing the agency with primary jurisdiction over the issue would normally be deferred to for the final decision. If this approach does not work, the Regional Response Team (RRT) may be called on to serve as a forum where differences can be thoroughly discussed and to assist in resolving the disagreement.

- e) In minor incidents, the five ICS functions may all be managed directly by the IC. Larger incidents usually require that one or more of the functions be set up as separate sections under the IC.
- f) Within the Command function, the IC has additional responsibilities for Safety, Public Information, and Liaison. These activities can be assigned to staff under the IC.
- g) During an emergency, response personnel must be cognizant of the ICS in place and their role in it. Some Municipal personnel may be responders to the scene and part of the on-scene ICS structure in a functional or staff role. Other Municipal personnel may be assigned to the EOC or other locations where they will provide support to the responders at the scene. All Municipal response personnel not assigned to the on-scene ICS will be coordinated by or through the EMO.
- h) The IC is usually selected due to his or her position as the highest-ranking responding officer at the scene. The IC must be fully qualified to manage the incident. As an incident grows in size or becomes more complex, a more highly qualified IC may be assigned by the responsible jurisdiction.
- i) A major emergency encompassing a large geographic area may have more than one emergency scene. In this situation, separate IC's may set up command at multiple locations. They report to the EOC Manager for the coordination of all activities.
- j) Response personnel operating at the EOC will be organized by ICS function, as depicted below and interface with their on-scene counterparts as appropriate.



k) Whenever the ICS is established, Municipal staff should be assigned to specific ICS functions wherever they are needed, including at the scene, at the EOC in a support role, or at an Area Command, if established. See Table 1 for sample ICS functional assignments by agency. Assignments may change as situation dictates or as directed by the EOC Manager.

Table 1 – ICS Function and Response Activities

### ICS Function Response Activities

ICS Function	Response Activity
EOC Manager	CAO – Ultimate Situation Responsibility; EOC Management
EMC	Activation and Maintaining of the EOC
Solicitor	Ensure Legal requirements are met
PIO	Emergency Public Information
Safety	Health and Welfare requirements are met
Liaison	Liaison and coordination with governments and organizations
Operations	Law enforcement, Search and rescue, Identification and disposal of deceased, Fire Suppression and Control, Hazmat Exposure Control, Debris Removal and disposal, Damage Assessment, Sewage Control, Temporary Housing and Shelter, Emergency Feeding and Clothing, to include assessment, treatment and or transport of the sick and injured
Planning	Situation Assessment and Documentation Advance Planning
Logistics	Communications, Supply and Procurement
Finance	Purchasing, Accounting, Record keeping

## 2. Organizational Responsibilities

- The CAO or designate shall exercise ultimate responsibility and oversight for emergency response and shall delegate ICS responsibilities as described in Table 1; or as special circumstance warrants, response personnel operating at the EOC will be organized by ICS function, as depicted below and interface with their on-scene counterparts, as appropriate.

## Managing Emergency Response

### A. Incident Command Post and Emergency Operations Center (EOC)

1. On-scene emergency response operations will be directed and controlled by the Incident Commander (IC) or Unified Command (UC) from an Incident Command Post located at or near the emergency site. This will be the only command post at the emergency scene. All other facilities at the scene used by organizations for decision-making should not be identified as a command post.
2. The EOC will be used to support Incident Command Post activities and to coordinate resources and assistance.
3. A Command Post will be selected by the IC or UC based upon the logistical needs of the situation and located at a safe distance from the emergency site.
4. There is one primary EOC located in the basement of the Municipal Building at #76 Morison Drive and a secondary EOC located at the municipal offices at #100 King Street.
5. The EOC provides for the centralized coordination of all response activities from a secure and functional location.
6. All response personnel represented at the EOC will be organized according to ICS function under the direction of the EOC Manager.
7. Though organized by ICS function, each organization's senior representative at the EOC will be responsible for directing or coordinating his or her agency's personnel and resources. Where the agency is also represented at the scene in an ICS structure, the EOC representative will coordinate the application of resources with the agency's representative at the scene.
8. The EMC is responsible for maintaining the EOC's during emergencies.
9. If required, the EOC will be staffed to operate continuously on a twenty-four hour a day basis. In the event of a 24-hour operation, two 12 ½ hour shifts will be utilized. (The additional ½ hour is for shift change briefings.) Designation of shifts will be established as conditions warrant by the EMC in consultation with the EOC Manager.
12. Each agency will routinely identify its personnel assigned to the EOC. This identification is to be provided to the EMC and updated as changes occur, no less than annually.
13. Work areas will be assigned to each agency represented at the EOC.
14. Internal Security at the EOC during an emergency will be provided.
  - a) All persons entering the EOC will be required to check in at the security desk located at the main entrance.

- b) All emergency personnel will be issued a pass (permanent or temporary) to be worn at all times while in the EOC.
  - c) Temporary passes will be returned to the security desk when departing from the premises.
- 15. EOC space must be maintained in an emergency operating mode by the EMC at all times. During non-emergency periods, the EOC can be used for meetings, training and conferences.
- 16. The ICS planning function is responsible for emergency situation reporting at the EOC and has established procedures and forms to be used.
- 17. The EMC maintains a General Operating Guide (GOG) for activating, staffing, and managing the EOC. This GOG can be found as appendix 8 to this plan.

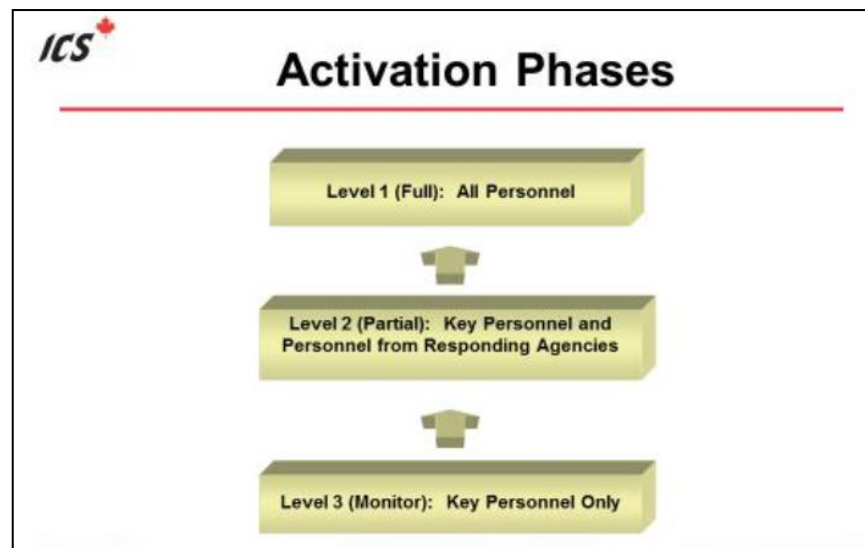
## **B. Notification and Activation (Alert)**

1. In the WHRM day to day accidents and incidents are usually dealt with by police, fire and health services.
2. On notification of an emergency to the 9-1-1 Communications Center (CC), the CC will immediately alert the appropriate response organizations. This initial notification sets into motion the activation of emergency response personnel. Each emergency agency will respond according to their SOP's.
3. Should an event occur however, which, in the opinion of the Senior Official involved, presents a risk to all or part of the community, and as the situation is starting to intensify, the senior official present, shall contact the EMC to assess the situation, along with the senior official involved.
4. As the EMC receives the warning of a real or potential emergency and or disaster, he will brief the CAO on the situation and departs for the scene to assess the situation. The CAO will contact and brief the Mayor as necessary.
5. In the event of an emergency and/or disaster, and should the EMC, CAO or Mayor not be reached then, their designated alternates are to be contacted.
6. On receipt of this warning, the Mayor, assembles Council, and at that time if a state of local emergency is declared, then the Members of the Advisory Committee, with the CAO will initiate the Alert. The CAO also has the authority to activate the EOC.
7. Once the Alert has been activated, then the members of EMO Team report to the EOC. On arrival, EMO members establish communication with each of their departments, and open up a log and wait for the EOC Manager to give a briefing on the situation, after this briefing, it is very important for the public information officer, with the assistance of the RCMP, EHS, or Fire Department, to inform the public. By this time the remaining members of the EOC will be busy coordinating their duties with the EOC Manager.
8. The EMC in consultation with the CAO will determine level of EOC activation. Required personnel will be contacted via the "I Am Responding" system from the contact list on file.

## EOC Activation Levels

The level of EOC activation is determined by the magnitude and scope of the event. Only those EOC functions and positions that are required to meet current response objectives are activated. If staff are not assigned to a function or role, the next available staff position in the EOC organization will assume responsibility for the tasks assigned. If an individual is unsure of which level to activate, the EOC is activated to the higher level since it is easier to scale back staffing than it is to ramp up.

Appendix 9 outlines the ‘Activation Flowchart’ for the EOC.



## Deactivation

The EOC Manager (CAO) is responsible for EOC deactivation. The Manager considers the requirements of termination from the outset of the incident. Criteria for terminating EOC operations may include:

- Individual EOC functions are no longer required.
- State of Local Emergency is lifted.
- Coordination of response activities and/or resources is no longer required; and
- Incident has been contained and emergency personnel have returned to regular duties.

The Planning Sections’ Demobilization Unit Coordinator in the EOC supervises and coordinates the demobilization process, under the direction of the EOC Manager.



## **C. Assessment and Evaluation**

As a result of information provided by the EMC to the CAO, the EOC staff will, as appropriate, in coordination with the on-scene IC:

- develop guidelines by evaluating the safety, health, economic, environmental, social, humanitarian, legal, and political implications of a disaster or threat.
- analyze the best available data and information on the emergency.
- explore alternative actions and consequences.
- select and direct specific response actions.

## **D. Declaration of State of Local Emergency and Proclamation of Emergency Orders**

1. In response to an emergency, or its likelihood, upon a finding that public safety is imperiled, the Council may proclaim a state of local emergency pursuant to Chapter 8 of the Provincial Emergency Management Act.
2. Such a proclamation authorizes the Council to deal with the emergency with full ministerial powers.
3. Municipal council may, when satisfied that an emergency exists or may exist in all or any area of the region declare a state of local emergency in all the municipality or area thereof.
4. If municipal council is unable to act promptly, the mayor may exercise that authority of municipal council contained in a section (2) after consulting, if it is practical to do so, with a majority of the members of council to advise on the development of emergency management plans.
5. A declaration pursuant to this section shall identify the nature of the emergency and the area in which it exists.
6. When a state of local emergency has been declared or terminated pursuant to the Act, the municipality shall immediately cause the details of the declaration or termination to be communicated or published by such means as the municipality considers the most likely to make the contents of the declaration or termination known to the people of the area affected.
7. Upon a state of local emergency being declared the mayor may, during the state of local emergency, do everything necessary for the protection of property and the health or safety of persons therein and, without restricting the generality of the foregoing, may:
  - a. cause an emergency management plan or any part thereof to be implemented.
  - b. acquire or utilize or cause the acquisition or utilization of personal property by confiscation or any means considered necessary.
  - c. authorize or require a qualified person to render aid of such type as that person may be qualified to provide.
  - d. control or prohibit travel to or from an area or on a road, street or highway.
  - e. provide for the maintenance and restoration of essential facilities, the distribution of

- essential supplies and the maintenance and co-ordination of emergency medical, social and other essential services.
- f. cause or order the evacuation of persons and the removal of livestock and personal property threatened by an emergency and make arrangements for the adequate care and protection thereof.
  - g. authorize the entry by a person into any building or land without warrant.
  - h. cause or order the demolition or removal of anything where the demolition or removal is necessary or advisable for the purpose of reaching the scene of an emergency, or attempting to forestall its occurrence or of combating its progress.
  - i. order the assistance of persons needed to carry out the provisions mentioned in this section.
  - j. regulate the distribution and availability of essential goods, services and resources.
  - k. authorize and make emergency payments.
  - l. assess damage to any works, property or undertaking and the costs to repair, replace or restore the same.
  - m. assess damage to the environment and the costs and methods to eliminate or alleviate the damage.
8. Upon declaring a state of local emergency, the mayor,
- a. shall immediately forward a copy of the declaration to the Minister; and
  - b. may authorize any person or committee to exercise any power vested in the mayor.
9. A municipality may terminate a state of local emergency with respect to an area identified by it in its declaration when, in its opinion, an emergency no longer exists in such area.
10. A state of local emergency terminates:
- (a) when the area identified by the municipality in its' declaration is identified by the Minister in a declaration of a Provincial state of emergency,
  - (b) when it is terminated by the Minister or by the municipality.
  - (c) seven days after the day on which it was declared unless it is renewed in accordance with this Act.
11. A state of local emergency may be renewed by the municipality with the approval of the Minister.
12. A mayor, a municipality, a committee established pursuant to this Act or a member thereof, or any other person
- a) is not liable for any damage arising out of any action taken pursuant to this Act or the regulations, and
  - b) is not subject to any proceedings by prohibition, certiorari mandamus or injunction with respect to any action taken pursuant to this Act or the regulations.
13. Any person in the course of implementing an emergency management plan pursuant to this Act or the regulations may, at any time, enter upon any property.
14. Any person who obstructs a municipality, the EMO, a committee established pursuant to this Act or any person in the performance of any action, matter or thing authorized by this Act or who contravenes or fails to comply
- a. with any provision of this Act or any regulation, or
  - b. with any direction, order or requirement made pursuant to this Act or the regulations,

is guilty of an offence and liable on summary conviction to a fine not exceeding one thousand dollars or to imprisonment of not more than six months or both.

15. Every person who with proper authority is absent from that persons accustomed employment and is on duty authorized by a municipality for the purpose of this Act shall while so absent, for all purposes relative to retention of employment, of seniority rights and of superannuation benefits, be deemed to have been in that person's accustomed employment during the period of absence.

## **E. Emergency Medical and Public Health**

1. A high impact disaster can cause injury and death to large numbers of people. In addition, damage to and destruction of homes, special facilities, and vital utilities may place the public at substantial risk of food and water contamination, communicable diseases, and exposure to extreme temperatures.
2. There may be established within the Operations section an Emergency Medical/Public Health Group to ensure that health and medical problems are being addressed.

## **F. Meeting Human Needs**

1. The Planning and Operations functions are responsible for ascertaining what human needs have been particularly affected by an emergency and responding to those unmet needs with the available resources of the Community Services/Red Cross and with the assistance of volunteer organizations and the private sector.
2. There may be established within the Operations section a Community Services/Red Cross to perform the tasks associated with (1) above.

## **G. Restoring Public Services**

1. The Operations and Planning sections are responsible for ascertaining the emergency's effect on the infrastructure and the resultant impact on public services including transportation, electric, power, fuel distribution, public water, telephone, and sewage treatment and ensuring that restoration of services is accomplished without undue delay.
2. In the event of a major power outage, the EOC will liaise with a representative of Nova Scotia Power to facilitate communications and information flow between the utility and the Operations Section.
3. During response operations relating to debris clearance and disposal, the EOC should act in cooperation with the Nova Scotia Department of Transportation and Active Transit.

## **H. Resource Management**

1. The Planning function is responsible for the identification and allocation of additional resources needed to respond to the emergency.
2. Resources owned by municipality should be used first in responding to the emergency.
3. Resources owned by other municipalities outside of WHRM can be utilized upon agreement between the requesting and offering government.
4. Resources owned by private business can be used under the terms of the local state of emergency.

## **I. General Operating Guidelines and other supporting plans.**

1. Each department of the WHRM and assigned responsibility under the “Response” portion of this plan should have its own General Operating Guidelines (GOG). These GOGs address activation of personnel, shift assignments at the EOC, assignment to the field including the Incident Command Post (if applicable), coordination with other organizations, drills, exercises, and ICS training.
2. Each agency’s GOG is to be updated at least annually and reviewed at a joint agency planning meeting. Copies of each GOG are retained by the EMO.
3. The following is a list of functional and hazard specific appendices that support this plan, and are on file with the EMO:

West Hants Fire Mutual Aid Plan  
Red Cross Sheltering Plan

4. The following documents support this portion of the plan and are appended to it:

Appendix 6 - Special Events Guidelines EMO-NS 2014

Appendix 8 - Emergency Operations Center (EOC) General Operating Guide (GOG)

Appendix 10 - Instructions for Declaring a State of Emergency and Issuing Emergency Orders

Appendix 11 – I am Responding Contact list

Appendix 12 – Evacuation Considerations

## J. Evacuation

### **Reference: WHRM Evacuation Operational Guidelines, May 2021 (Rsh)**

The evacuation function describes how the public would be evacuated out of areas affected by an emergency situation that are deemed to be too hazardous for people to stay in place. Evacuation methods will be dependent on the incident and is the responsibility of the Incident Commander on site. A key component of the evacuation process is to look after the evacuees once they are evacuated and this is the responsibility of the municipality. This function shall be performed by the EMC unless the EOC is activated, at which time it will be organized and managed by the Logistics section Chief within the EOC. Evacuation considerations are outlined in appendix 12.

During an emergency the EOC operational support functions may include:

- Damage Assessment
- Debris Management
- Livestock and Pet Coordination

### Evacuee Alerting & Sheltering

The decision to evacuate any specific area has two levels:

**Immediate Evacuation:** An immediate and sudden leak, spill, or fire at a fixed facility or mobile transport vehicle that requires identification of impacted areas to be evacuated followed by an immediate evacuation. This is the responsibility of the IC with support from the EMC to coordinate the moving of people and the opening of shelters to receive and house evacuees.

**Alerting:** Evacuees shall be notified to evacuate within the areas identified by the IC. Alerting shall be a door-to-door campaign by police with assistance from other agencies as required and available.

**Time Critical Evacuation:** An event that unfolds over a number of days, such as hurricanes that require an evacuation. In these cases, the evacuation will be managed by the EOC prior to the arrival of the severe weather event. The EOC will provide notifications and alerting, transport, and sheltering.

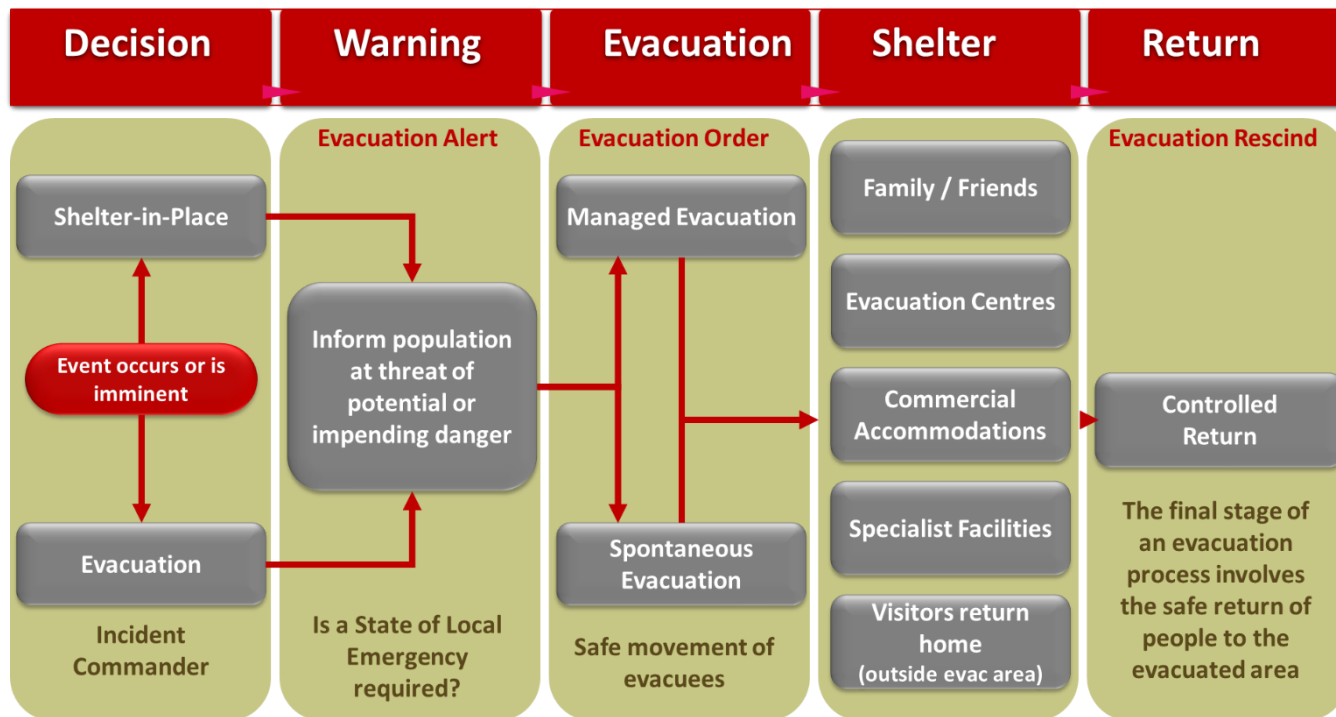
**Alerting:** Evacuees shall be notified to evacuate within the areas identified by the EOC Manager. Alerting shall be a police door to door campaign notifying citizens to evacuate as well as providing each family so advised of the location of their nearest shelter either within WHRM

or neighboring Counties. Police may accept assistance from other agencies as required and available. Additional alerting shall be through local media (radio) and social media. Evacuations will be supported by the EOC opening shelters to house displaced people and provide them with the necessities of life.

### Evacuation Process

Evacuation takes place within a process that begins with preparing for the possible need to evacuate populations at high risk from imminent or actual disaster. It involves ongoing risk monitoring and management as the situation and needs of evacuees evolve over time, and only ends with their safe, voluntary and sustainable reintegration back home or in alternative locations.

Figure 2. – Evacuation Process





## **West Hants Regional Municipality Emergency Management Plan**

### **Section IV: RECOVERY**

#### **A. Damage Assessment**

1. The Supervisors for Public Works are responsible for:
  - a) Developing a damage assessment program.
  - b) Coordinating damage assessment activities during and following an emergency.
  - c) Designating a Damage Assessment Officer for each emergency.
  - d) The Supervisors of Public Works will advise the CAO to maintain similar detailed records of emergency expenditures and supply them with standard documentation forms.
2. All departments will cooperate fully with the EMC in damage assessment activities including:
  - a) Pre-emergency:
    - 1) identifying Municipal personnel, and resources to assist and support damage assessment activities.
    - 2) identifying non-government groups such as non-profit organizations, trade organizations and professional people that could provide damage assessment assistance.
    - 3) fostering agreements between Municipal governments and the private sector for technical support.
    - 4) utilizing geographic information systems (GIS) in damage assessment
    - 5) arranging for training of selected personnel in damage assessment survey techniques as required.
  - (b) Emergency:
    - 1) obtaining and maintaining documents, maps, photos and video tapes of damage
    - 2) reviewing procedures and forms for reporting damage to higher levels of government
    - 3) determining if Provincial assistance is required in the damage assessment process
  - (c) Post-emergency:
    - 1) selecting personnel to participate in damage assessment survey teams
    - 2) identifying and prioritizing areas to survey damage
    - 3) assigning survey teams to selected areas
    - 4) completing damage assessment survey reports and maintaining records of the reports
    - 5) It is essential that, from the outset of emergency response actions, that detailed records of expenditures for:
      - a) labour used
      - b) use of owned equipment
      - c) use of borrowed or rented equipment
      - d) use of materials from existing stock
      - e) contracted services for emergency response
      - f) submitting damage assessment reports to the Provincial Emergency Management Office



3. Damage assessment will be conducted by Public Works personnel, building inspectors, and members of non-profit organizations, such as the Red Cross and the Salvation Army. When necessary, non-government personnel from the fields of engineering, construction, insurance, property evaluation and related fields may supplement the effort.
4. There will be two types of damage assessment: Infrastructure (damage to public property and the infrastructure); Individual assistance (IA) teams (impact on individuals and families, agriculture, private sector).
5. Municipal damage assessment information will be reported to the Damage Assessment Officer at the EOC.
6. Personnel from Municipal departments, assigned damage assessment responsibilities, will remain under the control of their own departments, but will function under the technical supervision of the Damage Assessment Officer during emergency conditions.
7. All assessment activities in the disaster area will be coordinated with the on-site Incident Commander (when appropriate) and the EOC Manager.
8. The Emergency Management Coordinator, in conjunction with the Damage Assessment Officer, will prepare a Damage Assessment Report which will contain information on:
  - 1) destroyed property
  - 2) property sustaining major damage
  - 3) property sustaining minor damage, for the following categories:
  - 4) damage to private property in dollar loss to the extent not covered by insurance:
  - 5) homes, businesses, industries, utilities, hospital, institutions, and schools
  - 6) damage to public property in dollar loss to the extent not covered by insurance:
  - 7) road systems, bridges, water utilities, sanitation facilities, public buildings, equipment, vehicles, parks and recreational facilities.
  - 8) damage to agriculture in dollar loss to the extent not covered by insurance:
  - 9) farm buildings, machinery and equipment, crop losses, and livestock
  - 10) cost in dollar value will be calculated for individual assistance in the areas of mass care, and housing.
  - 11) municipal services provided beyond normal needs such as:
    - debris clearance and protective measures taken such as pumping, sandbagging, construction of warning signs and barricades, etc.
    - overtime and labour required for emergency services.
9. The municipality will submit the Damage Assessment Report to the Provincial Emergency Management Office. It is required for establishing the eligibility for any Provincial and/or Federal assistance.

## **B. Planning for Recovery**

1. Recovery includes community development and redevelopment.
2. Community development is based on a comprehensive community development plan prepared under direction of the Planning and Development Department.
3. WHRM will decide whether the recovery will be managed through existing departments with planning and coordinative skills or by a recovery task force created exclusively for this purpose.
4. A recovery task force will:
  - a) Direct the recovery with the assistance of municipal departments.
  - b) Prepare a local recovery and redevelopment plan, unless deemed unnecessary,
5. The recovery and redevelopment plan shall include:
  - a) Replacement, reconstruction, removal, relocation of damaged/destroyed
  - b) Establishment of priorities for emergency repairs to facilities, buildings
  - c) Economic recovery and community development.
  - d) New or amended bylaws, subdivision regulations, and building codes.
6. Prevention and mitigation measures should be incorporated into all recovery planning if possible.

## **C. Reconstruction**

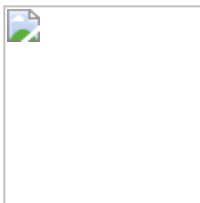
1. Reconstruction consists of two phases:
  - a) Phase 1-short term reconstruction to return vital life support systems to minimum operating standards.
  - b) Phase 2-long term reconstruction and development which may continue for years after a disaster and will implement officially adopted plans and policies, including risk reduction projects, to avoid conditions and circumstances that led to the disaster.
2. Long term reconstruction and recovery includes activities such as:
  - a) Scheduling planning for redevelopment
  - b) Analyzing existing Provincial and Federal programs to determine how they may be used
  - c) Providing temporary housing and facilities
  - d) Public assistance
  - g) Monitoring of reconstruction progress
3. Reconstruction operations must conform to existing Provincial/Federal laws and regulations concerning environmental impact.

## **D. Public Information on Recovery Assistance**

1. Public Information Officers are responsible for arranging with the broadcast media and press to obtain their cooperation in adequately reporting to the public on:
  - a) What kind of emergency assistance is available to the public.
  - b) Who provides the assistance.
  - c) Who is eligible for assistance.
  - d) What kinds of records are needed to document items which are damaged or destroyed by the disaster.
  - e) What actions to take to apply for assistance.
  - f) Where to apply for assistance.

## **Section V: APPENDICES**

1. Emergency Management Act
2. WHRM Emergency Management By-law RE-002
3. NS-EMO Hazard Risk Vulnerability Assessment (HRVA) Model
4. WHRM (HRVA) Hazards Rating and Ranking Results 2019
5. Former TOW Special Events By-law/Formal WH Special Events By-law
6. Special Events Guidelines EMO-NS 2014
7. ICS Position Descriptions
8. EOC General Operating Guide (GOG)
9. EOC Activation Flow Chart
10. Instructions for Declaring a State of local Emergency (SOLE)
11. Contact List – I am Responding
12. Evacuation Considerations



# Emergency Management Act

## CHAPTER 8

## OF THE

## ACTS OF 1990

amended 2005, c. 48, ss. 1-6; 2007, c. 10, s. 2; 2009, c. 12  
2011, c. 9, ss. 4-15

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## An Act to Provide for a Prompt and Co-ordinated Response to a State of Emergency

### Short title

1 This Act may be cited as the Emergency Management Act. *1990, c. 8, s. 1; 2005, c. 48, s. 1.*

### Interpretation

2 In this Act,

(a) repealed 2005, c. 48, s. 2.

(aa) "Department" means the Department of Justice;

(b) "emergency" means a present or imminent event in respect of which the Minister or a municipality, as the case may be, believes prompt co-ordination of action or regulation of persons or property must be undertaken to protect property or the health, safety or welfare of people in the Province;

(c) repealed 2011, c. 9, s. 4.

(d) "emergency management plan" means any plan, program or procedure prepared by the Province or a municipality, as the case may be, that is intended to mitigate the effects of an emergency or disaster and to provide for the safety, health or welfare of the civil population and the protection of property in the event of such an occurrence;

(e) "Fire Marshal" means the Fire Marshal appointed pursuant to the Fire Prevention Act;

- (f) "mayor or warden" includes an alderman or councillor acting in the stead of the mayor or warden, as the case may be;
- (g) "Minister" means the Minister of Justice;
- (h) "municipality" means a city, an incorporated town or a municipality of a county or district;
- (i) "police officer" means a member of the Royal Canadian Mounted Police and a police officer of a municipality;
- (j) "state of emergency" means a state of emergency declared by the Minister or renewed by the Minister pursuant to this Act;
- (k) "state of local emergency" means a state of local emergency declared by a municipality or renewed by it pursuant to this Act. *1990, c. 8, s. 2; 2005, c. 48, ss. 2, 6; 2011, c. 9, s. 4.*

### **Act prevails and Minister's authority**

- 3 (1) Where there is a conflict or inconsistency between this Act or the regulations and any other enactment respecting emergencies, this Act and the regulations prevail.
- (2) The Minister has authority over all matters respecting emergency planning, preparedness, response, mitigation, recovery and emergencies in the Province.
- (3) The Minister's authority under subsection (2) includes
- (a) the general supervision and management of this Act;
- (b) the co-ordination of emergency management plans within the Province; and
- (c) authority to delegate powers vested in the Minister by or pursuant to this Act. *2009, c. 12, s. 1.*

### **Department of Justice**

4 The Department has and shall exercise and perform such powers and duties as are vested in it by or under this Act and those assigned to it by the Minister. *2005, c. 48, s. 3; 2011, c. 9, s. 5.*

### **Advisory committee appointed by Governor in Council**

5 The Governor in Council may appoint, from among the members of the Executive Council, a committee to advise the Governor in Council on matters relating to emergencies. *1990, c. 8, s. 5.*

### **Executive Emergency Management Committee**

- 5A (1) There shall be an Executive Emergency Management Committee consisting of
- (a) the Minister, who is the Chair;
- (b) the Deputy Minister of Treasury Board;
- (c) the Deputy Minister of the Office of the Premier;
- (d) the Deputy Minister of Justice;

(e) repealed 2011, c. 9, s. 6.

(f) such experts as appointed by the Minister.

(2) The Executive Emergency Management Committee shall provide oversight and direction to the Minister regarding emergency preparedness, response, mitigation and recovery. *2009, c. 12, s. 2; 2011, c. 9, s. 6.*

### **Advisory committees appointed by Department**

6 (1) The Department may appoint such committees as it considers necessary or desirable to advise or assist the Department, the Minister or the Governor in Council.

(2) A member of a committee appointed pursuant to subsection (1) may, if the member is not an employee of Her Majesty or an agency thereof, be paid such remuneration and expenses as the Governor in Council determines. *1990, c. 8, s. 6; 2005, c. 48, s. 6; 2011, c. 9, s. 7.*

### **Agreements and acquisition of property**

7 (1) Subject to the approval of the Governor in Council, the Minister may, on behalf of the Province,

(a) enter into agreements with the Government of Canada, a province or a municipality, a state of the United States of America, or an agent of any of them, in respect of emergency management plans or provision of emergency services;

(b) enter into agreements with a board, commission, agency or Crown corporation of the Government of Canada, of a province or of a municipality, or an agent of any of them, in respect of emergency management plans;

(c) enter into agreements with the Government of Canada and the Workers' Compensation Board for the administration and payment of compensation benefits to persons engaged in training or carrying out duties related to a state of emergency or a state of local emergency;

(d) acquire, by purchase or lease, real and personal property for the purpose of emergency management.

(1A) Subject to the regulations, a person sent to the Province under an agreement entered into under clause (a) of subsection (1), who holds a licence, certificate or permit respecting the person's profession, trade or other qualifications from a jurisdiction that is a party to the agreement is deemed to be similarly qualified in the Province when providing assistance during a state of emergency or a state of local emergency.

(2) The Workers' Compensation Board may execute and administer an agreement referred to in this Section. *1990, c. 8, s. 7; 2005, c. 48, ss. 4, 6; 2011, c. 9, s. 8.*

### **Powers of Department**

8 The Department may, subject to the approval of the Minister,

(a) review and approve, or require modification to Provincial and municipal emergency management plans;

(b) make surveys and studies to identify and record actual and potential hazards that may cause an emergency;

(c) make surveys and studies of resources and facilities to provide information for the effective preparation of emergency management plans;

(d) conduct public information programs related to the prevention and mitigation of damage during an emergency;

- (e) conduct training and training exercises for the effective implementation of emergency management plans;
- (f) procure food, clothing, medicines, equipment and goods of any nature or kind for the purposes of emergencies;
- (g) authorize or require the implementation of any emergency management plan;
- (h) enter into agreements with any persons, organizations or associations in respect of emergency management plans. *1990, c. 8, s. 8; 2005, c. 48, s. 6; 2011, c. 9, s. 9.*

## **Powers of Minister**

9 The Minister may

- (a) divide the Province into districts and subdistricts for the purpose of this Act;
- (b) after consultation with the municipalities concerned, designate a combination of municipalities or parts thereof as a municipality for the purpose of this Act and determine the respective responsibilities of municipalities in the designated area;
- (c) require municipalities to prepare emergency management plans, including mutual aid programs, and to submit such plans to the Department for review for adequacy and integration with the Provincial emergency management plans;
- (d) establish procedures for the prompt and efficient implementation of emergency management plans;
- (e) require any person to develop emergency management plans in conjunction with the Department or the municipalities to remedy or alleviate any hazard to persons or property that is or may be created by
  - (i) a condition that exists or may exist on that person's property,
  - (ii) that person's use of property,
  - (iii) an operation in which that person is or may be engaged, or
  - (iv) a process that that person is or may be utilizing,

except where an enactment of the Province or a municipal by-law provides a procedure for dealing with the hazard. *1990, c. 8, s. 9; 2005, c. 48, s. 6; 2011, c. 9, s. 10.*

## **Medal for long service**

9A (1) In recognition of a significant contribution to the protection of persons and property by a member of a ground search and rescue crew or other person involved in the provision of emergency services, the Minister or a person designated by the Minister, on the recommendation of the Department, may issue a medal for long service.

(2) Where the Minister or the Minister's designate has issued a medal for long service, the Minister or the designate, on the recommendation of the Department, may issue a bar for further service to accompany the medal. *2007, c. 10, s. 2; 2011, c. 9, s. 11.*

## **Powers and duties of municipalities**

10 (1) Within one year after the coming into force of this Act, each municipality shall



- (a) subject to the approval of the Minister, establish and maintain a municipal emergency by-law;
- (b) establish and maintain a municipal emergency management organization;
- (c) appoint a co-ordinator of the municipal emergency management organization and prescribe the duties of the co-ordinator which shall include the preparation and co-ordination of emergency management plans for the municipality;
- (d) appoint a committee consisting of members of the municipal council to advise it on the development of emergency management plans; and
- (e) prepare and approve emergency management plans.

(2) The municipality may

- (a) pay the reasonable expenses of members of the organization or members of the committee appointed pursuant to clause (b) or (d) of subsection (1);
- (b) enter into agreements with and make payments to persons and organizations for the provision of services in the development and implementation of emergency management plans;
- (c) enter into an arrangement or agreement with any other municipality respecting a common organization, plan or program;
- (d) appropriate and expend sums approved by it for the purpose of this Section. *1990, c. 8, s. 10; 2005, c. 48, s. 6.*

### **Municipality to report emergency**

10A Every municipality shall, immediately upon becoming aware of it, inform the Department of any real or anticipated event or emergency that could impact the health, safety or welfare of Nova Scotians, their property or the environment. *2009, c. 12, s. 3; 2011, c. 9, s. 12.*

### **Police**

11 (1) The Minister may appoint persons trained for police duties as auxiliary police officers for the purpose of this Act.

(2) Police officers and auxiliary police officers have such powers, duties and responsibilities as the regulations prescribe and shall be organized and operate in accordance with the regulations.

(3) A police officer or auxiliary police officer, in carrying out duties pursuant to this Act and the regulations, has and may exercise in any part of the Province all the powers, authorities and immunities of a peace officer as defined in the Criminal Code (Canada).

(4) The protection afforded by this Act and any other enactment to a police officer or auxiliary police officer extends to any other person while and to the extent that that person is in the course of assisting a police officer or auxiliary police officer under the police officer's or auxiliary police officer's direction. *1990, c. 8, s. 11.*

### **State of emergency or state of local emergency**

12 (1) The Minister, after consulting, if it is practical to do so, with a majority of the members of a committee established pursuant to Section 5 or a quorum of the Executive Council and, if the Minister is satisfied that an

emergency exists or may exist, may declare a state of emergency in respect of all or any district, subdistrict or area of the Province.

(2) A municipal council may, when satisfied that an emergency exists or may exist in all or any area of that municipality, declare a state of local emergency in respect of that municipality or area thereof.

(3) If a municipal council is unable to act promptly, the mayor or warden may exercise the authority of the municipal council contained in subsection (2) after consulting, if it is practical to do so, with a majority of the members of the council's committee to advise on the development of emergency management plans.

(4) A declaration pursuant to this Section shall identify the nature of the emergency and the area in which it exists.

(5) Nothing in this Section prevents the Minister from declaring a state of emergency whether a state of local emergency has been declared or not. *1990, c. 8, s. 12; 2005, c. 48, s. 6.*

### **Publication of declaration or termination**

13 When a state of emergency or a state of local emergency has been declared or terminated pursuant to this Act, the Minister or the municipality, as the case may be, shall immediately cause the details of the declaration or termination to be communicated or published by such means as the Minister or the municipality, respectively, considers the most likely to make the contents of the declaration or termination known to the people of the area affected. *1990, c. 8, s. 13.*

### **Protection of property and health or safety**

14 Upon a state of emergency being declared in respect to the Province or an area thereof, or upon a state of local emergency being declared in respect to a municipality or an area thereof, the Minister may, during the state of emergency, in respect of the Province or an area thereof, or the mayor or warden, as the case may be, may, during the state of local emergency, in respect of such municipality or an area thereof, as the case may be, do everything necessary for the protection of property and the health or safety of persons therein and, without restricting the generality of the foregoing, may

- (a) cause an emergency management plan or any part thereof to be implemented;
- (b) acquire or utilize or cause the acquisition or utilization of personal property by confiscation or any means considered necessary;
- (c) authorize or require a qualified person to render aid of such type as that person may be qualified to provide;
- (d) control or prohibit travel to or from an area or on a road, street or highway;
- (e) provide for the maintenance and restoration of essential facilities, the distribution of essential supplies and the maintenance and co-ordination of emergency medical, social and other essential services;
- (f) cause or order the evacuation of persons and the removal of livestock and personal property threatened by an emergency and make arrangements for the adequate care and protection thereof;
- (g) authorize the entry by a person into any building or upon land without warrant;
- (h) cause or order the demolition or removal of any thing where the demolition or removal is necessary or advisable for the purpose of reaching the scene of an emergency, of attempting to forestall its occurrence or of combating its progress;
- (i) order the assistance of persons needed to carry out the provisions mentioned in this Section;

- (j) regulate the distribution and availability of essential goods, services and resources;
- (k) authorize and make emergency payments;
- (l) assess damage to any works, property or undertaking and the costs to repair, replace or restore the same;
- (m) assess damage to the environment and the costs and methods to eliminate or alleviate the damage. *1990, c. 8, s. 14; 2005, c. 48, s. 6.*

### **Duty of mayor or warden and delegation of Section 14 powers**

15 (1) Upon declaring a state of local emergency, a mayor or warden, as the case may be,

- (a) shall immediately forward a copy of the declaration to the Minister; and
  - (b) may authorize any person or committee to exercise any power vested in the mayor or warden, respectively, by Section 14.
- (2) Upon declaring a state of emergency, the Minister may authorize any person or committee to exercise any power vested in the Minister by Section 14. *1990, c. 8, s. 15.*

### **Prices**

16 (1) During a state of emergency or a state of local emergency, no person in the Province may charge higher prices for food, clothing, fuel, equipment, medical or other essential supplies or for the use of property, services, resources or equipment than the fair market value of the same thing immediately before the emergency.

(2) A contract that is contrary to subsection (1) is voidable at the option of the purchaser if the purchaser repudiates the contract within one month after the termination of the state of emergency or state of local emergency. *1990, c. 8, s. 16.*

### **Fires and law enforcement**

17 During a state of emergency,

- (a) the Fire Marshal is the co-ordinator of all efforts in relation to the suppression and prevention of fires, and every fire brigade, fire department and firefighter in the area in which the state of emergency exists is subject to the direction and control of the Fire Marshal; and
- (b) a peace officer designated for this purpose by the Solicitor General is the co-ordinator of all efforts in relation to law enforcement and every police officer and auxiliary police officer in the area in which the state of emergency exists is subject to the direction and control of that officer. *1990, c. 8, s. 17.*

### **Termination of state of emergency or state of local emergency**

18 (1) The Minister may

- (a) terminate a state of emergency with respect to an area identified by the Minister in a declaration of a state of emergency when, in the Minister's opinion, an emergency no longer exists in such area; and
- (b) terminate a state of local emergency with respect to an area identified by a municipality in its declaration of a state of local emergency when, in the Minister's opinion, an emergency no longer exists in such area.

(2) A municipality may terminate a state of local emergency with respect to an area identified by it in its declaration of a state of local emergency when, in its opinion, an emergency no longer exists in such area. *1990, c. 8, s. 18.*

### **Termination within fourteen days and renewal**

19 (1) A state of emergency terminates fourteen days after the day on which it was declared unless it is renewed or terminated by the Minister.

(2) A state of emergency may be renewed by the Minister with the approval of the Governor in Council.

(3) The provisions of this Act respecting a state of emergency and the declaration thereof apply, with the necessary changes, to a renewal of a state of emergency. *1990, c. 8, s. 19.*

### **Termination of state of local emergency and renewal**

20 (1) A state of local emergency terminates

(a) when the area identified by the municipality in its declaration of a state of local emergency is included in an area identified by the Minister in a declaration of a state of emergency;

(b) when it is terminated by the Minister or by the municipality;

(c) seven days after the day on which it was declared unless it is renewed in accordance with this Act.

(2) A state of local emergency may be renewed by the municipality with the approval of the Minister.

(3) The provisions of this Act respecting a state of local emergency or the declaration thereof apply, with the necessary changes, to a renewal of a state of local emergency. *1990, c. 8, s. 20.*

### **No liability**

21 The Minister, a mayor or warden, a municipality, the Department, a committee established pursuant to this Act or a member thereof, or any other person

(a) is not liable for any damage arising out of any action taken pursuant to this Act or the regulations; and

(b) is not subject to any proceedings by prohibition, certiorari, mandamus or injunction with respect to any action taken pursuant to this Act or the regulations. *1990, c. 8, s. 21; 2005, c. 48, s. 6; 2011, c. 9, s. 13.*

### **Entry upon property**

22 Any person in the course of implementing an emergency management plan pursuant to this Act or the regulations may, at any time, enter upon any property. *1990, c. 8, s. 22; 2005, c. 48, s. 6.*

### **Offence of obstruction**

23 Any person who obstructs the Minister, a municipality, the Department, a committee established pursuant to this Act or any person in the performance of any action, matter or thing authorized by this Act or who contravenes or fails to comply

(a) with any provision of this Act or any regulation; or

(b) with any direction, order or requirement made pursuant to this Act or the regulations,

is guilty of an offence and liable on summary conviction

(c) in the case of an individual, to a fine not exceeding ten thousand dollars; or

(d) in the case of a corporation, to a fine not exceeding one hundred thousand dollars,

or to imprisonment of not more than six months or both. *1990, c. 8, s. 23; 2005, c. 48, s. 6; 2009, c. 12, s. 4; 2011, c. 9, s. 14.*

### **Additional penalty**

23A In addition to any penalty imposed under Section 23, a court may increase the fine imposed on a person by an amount equal to the financial benefit that was acquired by or that accrued to the person as a result of the commission of the offence. *2009, c. 12, s. 5.*

### **Absence from employment**

24 Every person who with proper authority is absent from that person's accustomed employment and is on duty authorized by the Minister or by the council of a municipality for the purpose of this Act shall, while so absent, for all purposes relative to retention of employment, of seniority rights and of superannuation benefits, be deemed to have been in that person's accustomed employment during the period of absence. *1990, c. 8, s. 24.*

### **Regulations**

25 (1) The Governor in Council may make regulations

(a) respecting emergency planning for the continuity of functions of departments, boards, commissions, corporations and other agencies of the Province;

(b) respecting the vesting of special powers and duties in various departments and agencies of the Province for the purposes of emergency planning and the implementation of emergency management plans;

(ba) respecting the recognition of the professional, trade or other qualifications of persons sent to the Province by another jurisdiction under an agreement entered into under clause (a) of subsection (1) of Section 7 during a state of emergency or state of local emergency;

(bb) requiring municipalities to assess their level of preparedness and report their findings to the Department;

(bc) respecting the emergency planning, evaluation, and level of preparedness required of municipalities;

(bd) respecting emergency plans to be submitted by municipalities to the Emergency Management Office;

(c) respecting the organization, responsibilities, powers, duties and operation of police officers and auxiliary police officers throughout the Province or any part thereof for the purpose of this Act;

(ca) respecting emergency planning, evaluation and reporting for non-governmental entities;

(d) respecting authority to be delegated pursuant to this Act;

(e) prescribing the forms to be used for a declaration of a state of emergency and renewals and ~~termination~~ [termination] of the same;

(f) respecting the establishment, operation, liability and responsibilities of ground search and rescue organizations;

(g) prescribing renewal periods for states of emergency;

(h) defining any word or expression used in this Act but not defined herein;

(i) respecting any matter or thing that the Governor in Council deems necessary for the administration of this Act.

(2) The exercise by the Governor in Council of the authority contained in subsection (1) shall be regulations within the meaning of the Regulations Act.

(3) An order or regulation made under this Act may be made retroactive to the date in the order or regulation.

(4) Notwithstanding the Regulations Act, an order or regulation made under this Act during a state of emergency or a state of local emergency comes into force immediately on the signing by the Governor in Council or by the person who makes it, unless some other time is stated as being the time when it comes into force. *1990, c. 8, s. 25; 2005, c. 48, ss. 5, 6; 2009, c. 12, s. 6; 2011, c. 9, s. 15.*

## Repeal

26 Chapter 145 of the Revised Statutes, 1989, the Emergency Measures Act, is repealed. *1990, c. 8, s. 26.*

## Proclamation

27 This Act comes into force on and not before such day as the Governor in Council orders and declares by proclamation. *1990, c. 8, s. 27.*

Proclaimed - July 31, 1990  
In force - November 1, 1990

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**EMERGENCY MANAGEMENT BY-LAW**

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In accordance with the Emergency Management Act R.S.N.S. 1990 c.8 s.10, the Council of the West Hants Regional Municipality enacts the following:

**Short Title**

1. This By-law shall be known as the "Emergency Management By-law."

**Interpretation**

2. In this By-law,
  - a) "Act" means Emergency Management Act, R.S.N.S. 1990, c.8 or successor legislation and references to the Act or to regulations made under the Act are to be interpreted as meaning the Act or regulations as they may be amended from time to time;
  - b) "agent" means a person, persons, company or any other organization employed or contracted to act on behalf of the Municipality;
  - c) "Chief Administrative Officer" means the Chief Administrative Officer of the Municipality;
  - d) "Committee of the Whole" means the committee of Council consisting of all Councillors;
  - e) "Council" means the Council of the Municipality;
  - f) "Councillor" means a member of Council;
  - g) "Emergency" has the meaning prescribed by the Act;
  - h) "Emergency Management Coordinator" means the person appointed by the Municipality to fulfill the functions prescribed by the Act, regulations made under the Act, or by this By-law;
  - i) "Emergency Management Advisory Committee" means the advisory committee appointed by the Municipality to fulfill the functions prescribed by the Act, regulations made under the Act, or by this By-law;
  - j) "Emergency Management Planning Committee" means the planning committee established pursuant to this By-law;
  - k) "emergency management plan(s)" has the meaning prescribed by the Act;
  - l) "employee" means a person employed either part or full time by the Municipality;
  - m) "Mayor" means the Mayor of the Municipality or a Councillor lawfully acting in the stead of the Mayor;
  - n) "Municipal Emergency Management Organization" means the organization established pursuant to this By-law;

*EMERGENCY MANAGEMENT BY-LAW*

- o) "Municipality" means the West Hants Regional Municipality;
- p) "State of Local Emergency" means a state of local emergency declared by Council or Mayor pursuant to the Act or renewed by the Municipality pursuant to the Act and regulations made under the Act.

**Municipal Emergency Management Organization**

- 3. The Council hereby establishes a Municipal Emergency Management Organization.
- 4. The Municipal Emergency Management Organization shall consist of the following persons and committees:
  - a) The Emergency Management Advisory Committee;
  - b) The Emergency Management Coordinator; and
  - c) The Emergency Management Planning Committee.

**Emergency Management Advisory Committee**

- 5. The Committee of the Whole shall act as the Emergency Management Advisory Committee.
- 6. The Emergency Management Advisory Committee shall:
  - a) Advise Council on the development and maintenance of emergency management plans;
  - b) Present emergency management plans to Council;
  - c) Prepare and recommend the annual operating budget to Council for approval;
  - d) Brief Council on developments during a Local State of Emergency; and
  - e) Perform such other duties as may be required by the Council or by the Act or regulations made under the Act or by this by-law.

**Emergency Management Coordinator**

- 7. The Emergency Management Coordinator reports to the Chief Administrative Officer and shall be responsible, through the Emergency Management Advisory Committee for:
  - a) Act as chair of the Emergency Management Planning Committee;
  - b) Coordinate and prepare emergency management plans, training and exercises;
  - c) Be responsible for on-going public self-help education programs related to emergency preparedness;



*EMERGENCY MANAGEMENT BY-LAW*

- d) Following activation of the Municipality's emergency management plan or declaration of a State of Local Emergency, prescribe as necessary the duties to be fulfilled by municipal departments or agencies, employees and agents of the Municipality;
- e) Perform such duties in accordance with the emergency management plan, and carry out any lawful directives of the Mayor, a Councillor lawfully acting in the stead of the Mayor, the Chief Administrative Officer, the Emergency Management Advisory Committee or Council.

**Emergency Management Planning Committee**

8. Emergency Management Planning Committee members shall include:

- a) Emergency Management Coordinator
- b) Chief Administrative Officer
- c) Directors or representatives of every Municipal department or agency which has been assigned emergency related functions under the Municipality's emergency management plan, including those responsible for providing the following services during an emergency:
  - i. Law enforcement
  - ii. Search and rescue
  - iii. Fire control
  - iv. Hazardous material control
  - v. Transportation
  - vi. Health Care
  - vii. Communication
  - viii. Public Information
  - ix. Utilities
- d) Directors or representatives of such of the following provincial departments or agencies as are willing to participate:
  - i. Nova Scotia Emergency Management Office
  - ii. Lands and Forestry
  - iii. Education
  - iv. Community Services
  - v. Health and Wellness
  - vi. Transportation and Active Transit

*EMERGENCY MANAGEMENT BY-LAW*

- 
9. The Emergency Management Coordinator shall chair the Emergency Management Planning Committee.
  10. The Emergency Management Planning Committee shall:
    - a) Assist the Emergency Management Coordinator in the preparation and coordination of emergency management plans;
    - b) Advise the Emergency Management Advisory Committee on the development of emergency management plans;
    - c) Upon request, assist the Emergency Management Advisory Committee in the annual presentation of emergency management plans to Council;
    - d) Following activation of the Municipality's emergency management plan or a declaration of State of Local Emergency, fulfill the duties as prescribed in the emergency management plans;
    - e) Perform such other duties as may be required by the Mayor, a Councillor lawfully acting in the stead of the Mayor, Emergency Management Advisory Committee or Council.

**Agreements**

11. The Municipality may enter into agreements with the Government of Canada, the Province of Nova Scotia, another municipal unit, or any other person or organization, for the provision of services in the development and implementation of emergency management plans.
12. Except as otherwise limited by Council or by the Chief Administrative Officer, following activation of the Municipality's emergency management plan or a declaration of a State of Local Emergency, the Emergency Management Coordinator has authority to bind the Municipality to contracts made for the purpose of responding to emergency conditions.

**Duties of Council**

13. Review and approve emergency management plans presented to it by the Emergency Management Advisory Committee.
14. Specify additional duties to be fulfilled by the Emergency Management Advisory Committee, Emergency Management Coordinator and the Emergency Management Planning Committee.
15. Request assistance from the Province of Nova Scotia and/or Government of Canada in accordance with established guidelines.

*EMERGENCY MANAGEMENT BY-LAW*

16. Declare a State of Local Emergency, in accordance with the Act, and communicate it to the public.
17. Extend or terminate a State of Local Emergency in accordance with the Act.
18. The Council may appropriate and expend monies:
  - a) To pay reasonable expenses of members of the Emergency Management Advisory Committee, Emergency Management Coordinator and the Emergency Management Planning Committee;
  - b) To fulfill the terms and conditions of an agreement made pursuant to this by-law; and
  - c) To respond to emergency conditions following activation of the Municipality's emergency management plan or a declaration of a State of Local Emergency.

**Duties During an Emergency**

19. Following activation of the Municipality's emergency management plan or a declaration of a State of Local Emergency, and for the duration of the emergency:
  - a) Every Councillor shall advise the Mayor as to their whereabouts and how they may be contacted;
  - b) Every employee and agent of the Municipality who has a designated role in an emergency as identified in emergency management plans staff list shall:
    - i. Advise the Emergency Management Coordinator of their whereabouts and how they may be contacted; and
    - ii. Fulfill such duties as may be prescribed by the Emergency Management Plan or as may be lawfully directed by the Council, the Chief Administrative Officer or the Emergency Management Coordinator.

**Repeal**

20. The Regional Emergency Management By-law of the former Municipality of the District of West Hants dated March 13, 2007; the Regional Emergency Management By-law of the former Town of Windsor dated January 28, 2003; and all other Emergency Management By-laws of the Municipality of the District of West Hants and Town of Windsor are hereby repealed.

*EMERGENCY MANAGEMENT BY-LAW*

I, Rhonda Brown, Municipal Clerk of the West Hants Regional Municipality, the Province of Nova Scotia, do hereby certify that this is a true copy of the By-law as adopted by the Council of the West Hants Regional Municipality at a meeting duly called and held on the \_\_\_\_ day of \_\_\_\_ (month), \_\_\_\_ (year).

\_\_\_\_\_  
R.N. Brown  
Municipal Clerk

By-law Adoption	
First Reading:	<i>date</i>
Notice Published:	<i>date</i>
Second Reading & Approval	<i>date</i>
Final Publication	<i>date</i>
Notice to Municipal Affairs	<i>date</i>
Description: Initial approval of the Emergency Management By-law, RE-002.	

**Nova Scotia EMO**

**Hazard Risk Vulnerability Assessment (HRVA) Model**

**Guidelines for Use**

**October, 2010**

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## **1. Background**

Nova Scotia EMO works with Regional and Municipal Emergency Management Coordinators to promote best practices in all areas of emergency management. At a working session in February 2010, EMC's / REMC's and DEPO's indicated they would like to see hazard, risk and vulnerability assessment as a focus for future development.

To capitalize on the work already done and continue with the emergency management program goals including e-team development, the province has adopted a standard model for assessing risks and hazards. Standardized information will be collected from municipalities and responders to provide provincial assessments. Warnings and alerts will also adopt the standardized format to provide municipal leaders impact information in a consistent manner for preparation and planning purposes.

This Hazard Risk Vulnerability Assessment (HRVA) Model has been adopted as a draft format. The model will be presented at the "Partners in Preparedness" Conference in October 2010 for input and suggestions for improvements before being accepted in final format.

Once accepted as a provincial standard, the model will provide the basis for Hazard Analysis throughout the province and will form the foundation for future preparedness and planning purposes.

## **2. Definitions**

*Critical Infrastructure*- as one of the priorities for emergency management, critical infrastructure refers to organizations, persons, buildings and technology considered vital to the health, well-being, and economics of the population.

*Hazard*- a source of potential harm, or a situation with a potential for causing harm, in terms of human injury; damage to health; property, the environment, and other things or value or a combination of these.

*Impact*- the results or ultimate outcomes of an event or a series of events. When an event occurs, the impact can be measured by examining the event consequences. By continuously asking the questions "so what", event consequences can be determined.

*Probability*-the frequency or likelihood that an event will happen. This can be measured by historical data and predicted models.

*Risk Analysis*- the process of identifying the known and potential impacts a hazard may create. As a result of risk analysis, decisions are made as to whether or not a response or further analysis is required.

*Risk Tolerance*- the degree to which the population or segments of the population are able to tolerate the chance of a hazard or threat occurring. It is a subjective measure of perception often influenced by past experience, media exposure and political agendas.

*Susceptible Populations/Persons*- groups of individuals that because of the nature of the particular hazard, time of day of occurrence, or seasonal factors, may be more adversely affected than the rest of the general population.

*Vulnerability*- a degree of susceptibility or increased likelihood of being adversely impacted due to the nature of the particular hazard, time of day of occurrence, or seasonal factors association with the event.

### **3. Principals of Hazard Analysis**

In emergency planning, hazard analysis is the first step in identifying the known and potential impacts a hazard may create. Once the impacts have been assessed, priorities for planning are identified. Effective emergency plans offer mitigation and response solutions to the impacts identified during hazard assessment.

The hazard analysis process examines events by considering two factors:

1. Probability- the frequency or likelihood of occurrence, and
2. Impact- the consequences likely to be experienced should such an event occur

The NS-EMO HRVA Model considers a third factor in the assessment:

3. Risk Tolerance

This parameter is included because of the reality of the importance of public perception. The general public, particularly when influenced by a variety of media sources, may not assess hazards according to the same models of probability and impact that emergency planners do. In some cases, a low tolerance to the impacts of a hazard may increase the priority for planning even when probability and impact are low.

Both quantitative and qualitative measures are used in assessing risk. Quantitative measures are objective data, such as number of occurrences in the past or insurance costs tabulated as a result of an event. Quantitative measures can be applied to events that have occurred either to the community being assessed or in similar areas. Qualitative measures are more subjective in nature. Because no two events or communities are ever exactly the same, much of hazard analysis becomes based on broad categories, judgement, and assumptions.

Because of the qualitative nature of risk assessment, it is important to be consistent in analysis in order to set priorities for planning that have reviewed all hazards using the same tool and judgement parameters.

Effective Hazard Analysis can be used in emergency response mode as well as in planning sessions. During the early warning or immediate impact of an event, a review of the hazard assessment can clearly identify the response objectives, including special considerations for vulnerable populations and allocation of resources.



#### **4. Best Practices Review**

A review of Hazard Analysis practices reveals that most agencies, provinces and countries measure risks according to probability, likelihood, or frequency that an event will occur and the severity of impact such an event might have.

There appears to be no consistent model or method among the assessments reviewed to determine the probability or impact levels. Most methods combine quantitative measures such as property loss values and historical information and very qualitative information based on broad subjective measure and judgement dependent on the person or organization performing the analysis. None of the documents reviewed consider the element of Risk Tolerance although many documents talked about the important of this component. Most documentation provided the end results of a hazard review but did not define how the conclusions were made.

Provincial bodies in both Manitoba and British Columbia have published Hazard Analysis and Risk Assessment documentation for their areas. The Manitoba assessment, "Hazard Analysis and Risk Assessment" is published by the Office of the Fire Commissioner and can be found on-line at [www.firecomm.gov.mb.ca](http://www.firecomm.gov.mb.ca) The British Columbia document, "British Columbia Hazard Risk and Vulnerability Tool Kit, 2004. Can be found on-line at [www.pep.bc.ca/hrva/tookit.html](http://www.pep.bc.ca/hrva/tookit.html)

Concepts from both these documents were modified for use in the Nova Scotia EMO HRVA model.

#### **5. Provincial Hazards List**

In order to provide direction on the Hazards to review through the model, NS-EMO has identified the most likely hazards to affect communities in Nova Scotia. This list is provided as Table 1 of the HRVA Model.

On the left column of the Table, the Hazards are identified within the categories of Natural Events; Technological Events; Industrial Events; and Human-Induced Events. On the right column, the typical impacts associated with each of the hazards are outlined.

The hazards identified and typical impacts are meant to provide guidance to communities. Due to the unique nature of communities throughout the province, some hazards may cause differing impacts or provide challenges not listed. Those living and working within the community may be aware of hazards and impacts outside the scope of the table that should be considered when completing the hazard analysis model. Due to locations, mitigation efforts, and preparedness strategies, some communities may consider only some of the impacts listed realistic for their situation.

Table 1 is meant as a guide to provide a basis for understanding impacts and completing the model in a consistent manner. Communities should add and delete hazards and impacts according to their situation.

A complete Municipal Hazard Analysis would include the HRVA Model results for each of the 18 hazards identified in the list.

## **6. Components of the NS-EMO HRVA Model**

**Probability (Historical and Predicted)**- This section examines historical frequency of the hazard occurring as well as predictions of occurrence. Historical data can be collected from municipal records, first responders, and insurance data. The Canadian Disaster Database, <http://www.publicsafety.gc.ca/prg/em/cdd/srch-eng.aspx> maintained by Public Safety Canada is another source for historical data. Predicted data should be collected from reputable sources only such as Environment Canada, Nova Scotia EMO, or local agency sources. For each hazard, a final number (1-5 scale) is assigned to the probability rating.

**Impacts (Susceptibilities both Human and Infrastructure)**- This section examines the consequences of the event regardless of the probability rating. The most likely impact area is identified. In some cases this might be the entire municipality. For some hazards a more localized area may be more likely to be affected. Once the area is identified, susceptible populations within the area are identified. Appendix A is a supporting document to help define such populations according to the hazard impacts. Critical Infrastructure in the impact area is also listed. Once the area, populations and infrastructure within have been identified, the potential impacts are assessed. Typical impacts for each hazard are identified in Table 1. From this list of typical impacts, the chart can then be filled out identifying potential death or injury, displaced or isolated persons, environment and property damage and resources required for each potential impact. This assessment is largely qualitative in nature and should be completed in the group format with qualified individuals. Once the chart has been completed, an overall impact score is assigned based on the rating levels. The group must consider all the parameters identified in the chart prior to assigning an impact score. Groups may vary on the level they assign; hence the same group should assess all hazards in order to maintain consistency.

**Risk Tolerance**- Once an Overall Impact Score has been assigned to the hazard, the group should consider the Risk Tolerance of the community. Consider how the general public and media are likely to react to such an event. Identify other groups such as political groups, activists or agencies that may react. If groups are likely to accept the impacts of the hazard, work towards restoring the community, and are generally prepared for the event, the risk tolerance is considered high. If groups are likely to become disorderly, raise concerns, be demanding of officials, and unable to accept the impacts, risk tolerance is considered low. As a general rule, natural hazards are tolerated better by the public than technological or human-induced events but local factors and past experience will drive the tolerance rating. Risk tolerance will change over time and according to situational influences.

**Hazard Risk Vulnerability Rating**- this rating is achieved by multiplying the Probability Score by the Overall Impact Score. This rating does not consider the Risk Tolerance assessment. A final score from 1-25 is assigned to the hazard. Considering Risk Tolerance is a very dynamic factor, the overall Hazard Risk Vulnerability Rating is assigned without the Risk Tolerance factor.

**Final Hazard Assignment**- The final hazard assignment is used to identify priorities for planning and considers the risk tolerance level. Generally, a final Hazard Risk Vulnerability Rating of 11-25 would

identify a need to set the hazard as a high priority for planning. A rating of 6-10 indicates moderate priority for planning and 1-5 indicates a low priority for planning. However, if risk tolerance is low to medium, this hazard may require further analysis and earlier attention to planning than it might normally rank. This Final Hazard Assignment can be presented to groups instrumental in supporting the planning process.

## **7. HRVA Model**

## **8. Taking the Model to the Community Level**

The HRVA Model is designed to be completed in a collaborative process with individuals who are familiar with emergency management at the municipal level.

Once the REMC/EMC has a working knowledge of the model, it is suggested the model be taken to the committee that is typically involved in emergency planning. Most likely this committee is comprised of first and second responders. In some cases, elected officials may also be part of this group. In a working session, this group should then complete the model for each of the hazards identified. In order to ease the process, it may be helpful to start with those hazards most familiar to the group.

Once completed, the hazard analysis model provides documentation to support planning and allocation of resources. It recommended completed models be shared with Mayors and Councils to advance the emergency management program.

Once NS-EMO has collected the municipal HRVA models, an overall provincial assessment can be made providing documentation and support for preparedness, planning and resource allocation from the province to individual communities.

## **9. Appendix A**

# Nova Scotia Emergency Management Organization Hazard Risk Vulnerability Model

## Background Information

Analysis Completed For: \_\_\_\_\_

Analysis Completed By: \_\_\_\_\_

### Category of Hazard

- ☐ Natural
- ☐ Technological
- ☐ Industrial
- ☐ Human-Induced

Identify Specific Hazard: \_\_\_\_\_

## **PROBABILITY**

If this type of event has occurred in the area in the past, complete the table below.

### Historical Events

Date (most recent first)	Changes made since	Comments

### Predicted Events without Historical Evidence

Predicting Authority	Evidence to support prediction with timeframe (5, 7, 20, 100, or 500 years)	Mitigation Strategies in Place	Comments

### Probability Score

(Considering historical and predicted probability rate the likelihood of occurrence in years)

- ☐ 5 Highly Probable within 5 years or less
- ☐ 4 Likely to occur every 5-7 years
- ☐ 3 Might occur once every 20 years
- ☐ 2 Not expected; could occur once every 100 years
- ☐ 1 Rare chance of occurrence every 500 or more years



## Impacts

Identify most likely Impact Area (geographical; map reference)

\_\_\_\_\_

Identify Population number in Impact Area

\_\_\_\_\_

Identify numbers of Susceptible Persons in Impact Area (Identify groups)

*Appendix A supporting document*

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Identify critical Infrastructure in Impact Area

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Using Table 1, list the potential impacts of the hazard you are assessing in the left hand column of the table below. Considering your impact area, susceptible groups and infrastructure within the area, identify the degree of impact for each.

Typical Impacts	# of potential Deaths or Injuries	# of persons displaced or isolated & timeframe	Environment & Property Damage Cost estimate	Resources required to respond	Comments

## Overall Impact Score

(Considering each of the impacts identified and the guidelines below, select an overall impact score for the hazard event)

- ☐ 5 Catastrophic; over 100 people affected; multiple fatalities; injuries, long term health effects; prolonged displacement; extensive environment & property damage; long term effects to environment; serious infrastructure disruption; community unable to function without significant support
- ☐ 4 Significant; 51-100 people affected; multiple serious injuries; long-term hospitalization required; displacement for 6-24 hours; significant impact to environment- medium to long term effects; external resources required; community only partially functioning, some services unavailable
- ☐ 3 Moderate; 11-50 people affected; no fatalities, some hospitalization and treatment required; localized small numbers displaced for 6-24 hours; no long term environmental or property damage; localized damage rectified by routine arrangements; normal community functioning with some inconvenience, no resources required outside of mutual aid agreements
- ☐ 2 Minor; less than 10 people affected; no fatalities, small number of injuries requiring first aid only; small numbers displaced for less than 6 hours; no external resources required; minor localized disruption to community services for less than 6 hours;
- ☐ 1 Insignificant; no fatalities, injuries or impact on health; no persons displaced; no damage to properties or environment; no disruption to community services or infrastructure; no mutual aid resources required

## RISK TOLERANCE

Considering the area of impact, community events, and past experience, identify the level of tolerance to the hazard identified.

Group	High Tolerance	Medium Tolerance	Low Tolerance
Public			
Media			
Other (Identify			

## HAZARD RISK VULNERABILITY RATING

Probability score \_\_\_\_\_ x Overall Impact Score \_\_\_\_\_ = Number assigned to this hazard \_\_\_\_\_ (1-25)

### Final Hazard Assignment in consideration of Risk Tolerance for Priority Planning

- ☐ Low (1-5)
- ☐ Moderate (6-10)
- ☐ High (11-25)
- ☐ Requires further analysis due to Risk tolerance rating

## Appendix A

### Susceptible Populations Analysis

Once the impacts of the event have been identified, consider which populations will be susceptible. The following provides a guide.

	Chemical Exposure	Evacuation	Disease Transmission	Food Supply Disruption	Media Focused on Area	Medical Supply Disruption	Poor Air Quality	Public Health Disruption	Separation from family	Shelter-In-Place Quarantine	Structural Collapse	Transportation Disruption	Utility Disruption	Water Supply Disruption
Aboriginal/Indigenous People		X								X				
Airport Populations			X							X		X		
Airport Workers			X											
Alcohol dependent		X		X						X				
Asthmatic/respiratory patients	X		X				X							
Breastfeeding women	X		X	X			X		X					X
Children	X	X	X	X			X		X					X
Community leaders/ Decision makers					X									
Critical Infrastructure Employees		X	X		X								X	
Custom/border patrol workers	X		X											
Day home/ day care populations	X	X	X	X			X		X	X				X
Drug-dependent individuals		X	X	X		X		X		X				
Diabetics		X	X	X		X		X		X				X
Direct contact groups individuals			X											
Electricity dependent for life support								X					X	
Elderly		X	X	X			X	X		X				X
Families of first responders	X		X		X				X					
Families of health care workers	X		X		X				X					
Farm owners	X	X	X				X							X
First responders	X		X		X									

	Chemical Exposure	Evacuation	Disease Transmission	Food Supply Disruption	Media Focused on Area	Medical Supply Disruption	Poor Air Quality	Public Health Disruption	Separation from family	Shelter-In-Place Quarantine	Structural Collapse	Transportation Disruption	Utility Disruption	Water Supply Disruption
Food Suppliers/handlers			X											
Funeral home workers			X					X						
Health care workers	X		X		X			X						
Homeless		X	X							X	X			
Home owners		X									X			
Hospice residents		X	X	X		X	X	X					X	X
Hospice workers			X											
Hospital patients	X	X	X	X		X		X					X	X
Hotel/Motel populations		X	X							X		X		
Hotel/Motel staff			X											
Immunosuppressed individuals	X	X	X	X		X	X	X		X			X	X
Incarcerated individuals		X	X								X		X	
Isolated or confined individuals		X		X						X			X	X
Justice workers			X		X								X	
Kennel workers		X	X							X	X			X
Language limited individuals		X	X											
Livestock owners	X	X	X				X			X			X	X
Long-term care facility populations		X	X				X	X					X	X

	Chemical Exposure	Evacuation	Disease Transmission	Food Supply Disruption	Media Focused on Area	Medical Supply Disruption	Poor Air Quality	Public Health Disruption	Separation from family	Shelter-In-Place Quarantine	Structural Collapse	Transportation Disruption	Utility Disruption	Water Supply Disruption
Low-educational level individuals		X								X				
Media-focused groups					X									
Medical equipment dependent individuals		X				X		X					X	
Medication dependent individuals		X	X			X		X					X	
Mental Health Institution residents		X	X					X		X			X	
Mental Health workers		X	X		X					X			X	
Mobility challenged individuals		X												
Newborns	X	X	X	X			X						X	X
Parents			X						X					
People dependent on public transport		X	X									X		
People with disabilities		X					X							
Pet owners		X	X											
Poverty level or below income individuals		X		X						X				X
Pregnant women	X	X	X	X			X	X						X
Renters											X			
Restaurant workers			X											
Schools	X	X	X		X		X		X	X	X		X	X
Single-income families		X	X											
Single parents		X							X					

	Chemical Exposure	Evacuation	Disease Transmission	Food Supply Disruption	Media Focused on Area	Medical Supply Disruption	Poor Air Quality	Public Health Disruption	Separation from family	Shelter-In-Place Quarantine	Structural Collapse	Transportation Disruption	Utility Disruption	Water Supply Disruption
Social assistance recipients		X		X				X						
Socially isolated individuals		X								X				
Social workers			X		X					X	X			
Transients		X	X											
Transportation routes, terminals	X		X							X		X		
Transportation workers			X							X		X		
Tourists		X								X		X		
Unemployed		X						X		X				
University Populations		X	X						X	X				
University residences populations		X	X						X	X				
Veterinary workers			X											
Wildlife workers			X											
Youth groups		X	X						X					
Zoo workers		X	X								X		X	X



## **Appendix B. Susceptible Populations**

### **Explanation of Susceptibility**

**It should never be assumed that just because individuals or groups of individuals fall within a particular category they become vulnerable. The following description is meant as a guide only in helping determine the degree of susceptibility some individuals may experience given the impacts of the hazard.**

#### **A**

- Aboriginal or indigenous people – may be living in sub-standard housing, on flood plains or areas of vulnerability. May have less contact/resources outside living area. May have day to day living arrangements with little resources for long term sustenance. May not be integrated well with larger community resources and emergency management strategies. May have cultural concerns different from larger community.
- Airport populations- In situations such as natural storms, or terrorist activity where air travel is restricted there may be a large number of people stranded within the airport structure. These people may not be familiar with the community, and lack basic resources such as food and shelter (sleeping accommodations) outside of the airport structure. Many travelers may not have financial resources to support long-term layovers within the airport. The supplies (including medications) travelers may have left their homes with may be unavailable to them (suitcases still in other airports, on planes etc.) Travelers may be cut off from contact with family, friends and support systems. In instances of disease contamination, airport populations may be exposed to travelers with airborne contaminants and quarantine of those within airport or who traveled through the airport may be necessary.
- Airport workers – Over a 24 hour period or longer, those working within an airport may be exposed to thousands of persons and may run the risk of exposure to contamination in biological emergencies. In situations of terrorist threat, airport workers may be at greater risk if air travel is a potential target or method of escape.
- Alcohol dependent- Alcohol dependent individuals may have difficulty coping with an emergency situation when supplies of alcohol are depleted. Some alcohol dependent individuals may lack the resources (basics of food, shelter) available to many other community members.

- Asthmatics/respiratory patients- Any time a hazard causes air quality concerns, asthmatics and those with respiratory conditions may experience increased health difficulties. In cases of forest fires or hazardous material incidents, these patients may require evacuation or shelter-in-place procedures in advance of other members of the community.

## **B**

- Breastfeeding women- many contaminants a breastfeeding woman is exposed to may be passed through breast milk to the infant and can cause both acute and long-term effects on the child. In situations where basic supplies of food and water are limited, breastfeeding woman may require special consideration to nutritional needs to maintain the health status of both the mother and child. In situations where parents are separated from their children, breastfeed infants will be at particular health risk from maternal separation.

## **C**

- Children – children may be particularly vulnerable during times of disaster, particularly if separated from parents and caregivers. In certain biological emergencies children may be more vulnerable as their immune system may be less able to cope with the invasion. Children may also be less able to compensate for poor nutrition and inadequate fluid intake.
- Community Leaders/Decision Makers –because of their roles during an emergency, mayors, elected officials, and other key decision makers may be vulnerable to or exposed to a threat that may not impact other population groups to the same degree. It might be seen as a criminal or terrorist advantage to take out a group that traditional has the ability to lead and direct the community, leaving the entire community less organized and in control.
- Custom/border patrol workers- custom or border patrol workers may be in the “front lines” of threats or hazards occurring in one or more country. They could be more likely to be exposed to chemical or biological contaminants or explosives.

## **D**

- Day home/daycare populations- particularly during daytime, workweek hours, day home and daycare populations may be particularly vulnerable. With a high child to adult ratio, it might be difficult to evacuate, shelter-in-place, or otherwise protect and manage this population. Certain bacterial outbreaks often are easily spread through this population as well, particularly if the mode of transmission is a fecal-oral one.

- Drug- dependent individuals – In emergencies situations, when drug-dependent individuals are unable to access the supplies they require, they may present with particular vulnerabilities and be unable to function in crisis appropriate ways. Prolonged drug dependency, especially in injection dependent cases or in combination with improper nutrition, may cause weakened immune systems leaving such individuals more vulnerable to disease.
- Diabetics- The reliance on medication and need to rigidly control nutritional intake may make diabetics particularly vulnerable during an emergency. The stress of emergency procedures may cause fluctuating blood sugar levels in such individuals as well. During disease outbreaks, diabetics may be at particular risk due to weakened immune systems.
- Direct Contact Groups/Individuals (disease transmission)- During biological emergencies, those individuals who have been in direct contact with affected individuals will present as a vulnerable group depending on the mode of disease transmission.

#### **E**

- Electricity dependent for life support individuals- during events that cause fluctuations to or loss of electricity, individuals dependent on electricity for life support functions will be at high risk.
- Elderly- Certain diseases appear to affect both the very young and the elderly more severely and may leave this group at greater risk. As well, elderly individuals with some degree of impairment such as hearing loss, mobility loss, medication dependency or others may experience increased vulnerability. Elderly populations may find themselves with less disposable income, more resistant to change in structure and routine and therefore more vulnerable or disadvantaged during an emergency.

#### **F**

- Families of first responders- during emergency situations, first responders may be required to work the scene, often without any time off, for hours or days. They may be unable to attend to their own families causing increased difficulty. In situations of chemical exposure or disease transmission, families of first responders may be of increased risk due to their contact with the first responder.
- Families of health care workers- during emergency situations, health care workers such as hospital staff, lab technicians and community health workers, may be called to work for extended periods, often without any time off, for hours or days. They may be unable to attend to their own families causing increased difficulty. In situations of chemical exposure or disease transmission, families of health care workers may be of increased risk due to their contact with the health care worker.

- Farm owners- during some hazard situations such as floods or fire, farm owners may be particularly vulnerable as such a hazard may threaten not only individuals or family members but animals, crops, and their livelihood as well. Evacuations may be more complicated for such groups who feel unable or unwilling to leave animals or property unattended.
- First responders – by virtue of being first on the scene or site of an emergency, first responders may be exposed to contaminants (chemical, biological, radiological, nuclear) before the situation is fully realized and known to be dangerous, leaving them as a particularly vulnerable group.
- Food suppliers/handlers- groups or individuals that have contact with food supplies may be a vulnerable group during particular types of hazards such as biological contamination depending on the mode of transmission.
- Funeral home workers- depending on the mode of transmission of certain biological diseases, funeral home workers may become a vulnerable group due to their contact during the embalming/body preparation process particularly in the early stages of an outbreak before appropriate precautions are known to be required. Their contact with family members and friends of the recently deceased (may be carriers of the disease) may also expose them to contaminants.

## G

## H

- Health care workers- health care workers are often among the first to be exposed to newly emerging hazards such as biological contaminants and chemical exposure from patients who arrive at the treatment facility for treatment. This is particularly true in the early stages of a hazardous event before the situation is fully understood and before precautions and protocols are instituted.
- Homeless- Homeless persons with few resources may be particularly vulnerable during some hazardous situations if their survival methods and routines are disrupted. It may be difficult to track such individuals or direct them during an incident.
- Home owners- may be vulnerable during emergencies such as flooding and forced evacuations as they may attempt to protect their assets and may lose more financially during the event depending on insurance coverage.
- Hospice residents- by virtue of their illness are likely to have lowered immune systems leaving them vulnerable to death due to disease transmission. They may not be easily mobile and dependent on medications and life support machines therefore presenting as a vulnerable group during disease outbreaks, forced evacuations and other hazardous events.

- Hospice workers- may be a vulnerable group if the situation involves disease transmission as such disease could easily be spread through close contact with residents in air borne or direct contact modes of transmission.
- Hospital patients- may be a vulnerable group during hazardous events due to their immobility, reliance on machines, medications, and treatment regimes. As well they may be inadvertently exposed to new disease organisms or chemical contamination if patients from an event enter the hospital environment before proper protection or decontamination is realized.
- Hotel/motel populations- during hazardous conditions may be particularly vulnerable. They may not hear warnings and bulletins on expected action; they may not be familiar with the area, and unsure how to proceed even if they do hear the warnings. During biological incidents disease agents may rapidly spread through hotel and motel ventilation systems. It may be difficult to track visitors through the system to identify potentially exposed persons, or in search situations.
- Hotel/motel staff- due to the transient nature of guests, hotel and motel staff may be exposed to a number of people during any 24-hour period, making them vulnerable depending on the mode of transmission of certain diseases. Staff often has close contact with guests through airborne particles and direct contact as they clean sheets, bathrooms and objects the guest may have had contact with.

## I

- Immunosuppressed individuals- have a more difficult time fighting any new disease and therefore are more vulnerable during an outbreak. They also require proper nutrition, sanitary conditions and safe water supplies to an even greater degree than persons with intact immune systems in order to prevent illness.
- Incarcerated individuals- may be at a particular risk due to their inability to respond quickly and move due to the security threat. These individuals may be reliant on others to release locks and provide transportation during forced evacuations. Disease can also be spread rapidly through the incarcerated population during outbreak situations.
- Isolated or confined individuals- may be more vulnerable if they are unable to hear the warnings or unable to move to safer areas. These individuals may have difficulty acquiring necessary supplies and resources in some hazardous situations. It may be difficult to assess their status during community events.

## **J**

- Justice workers- may face unique concerns during certain situations. Power and utility failures or interruptions may put them in vulnerable situations, as those they are guarding may no longer be confined. In many situations they may face hazards as first responders to situations, or last to leave, unsafe areas. Depending on the nature of their job, their facility may be particularly vulnerable to attack as well.

## **K**

- Kennel workers- may have increased risk of transmission of disease from agents that cross over from animal to human populations. During other types of hazards such as those that require evacuation, kennel workers may have increased needs, as it may be difficult to move large numbers of animals safely and efficiently.

## **L**

- Language limited individuals- may be unable to accurately interpret warnings and announcements during crisis situations if the information is not supplied in their “first language” leaving them vulnerable. In situations where information may be quite complicated or involve emergency or medical terms, the language barrier may be even more pronounced. These individuals may have difficulty communicating their concerns and issues to emergency workers during times of crisis.
- Livestock owners – may face increased vulnerability in situations where disease is transmitted from animal to human. In situations requiring evacuation they may be reluctant to leave their livestock for both economic and emotional reasons and may have difficulty moving large herds to safer areas. During shelter-in-place situations where air quality is a concern they may be unable to adequately protect their livestock.
- Long-term care facility populations- are particularly vulnerable during disease outbreaks due to the risk of airborne or direct contact transmission in a group that may already be immunosuppressed to some degree. Individuals may have special mobility and medication needs that increase their vulnerability during other hazardous situations as well. Utility and power outages as well as forced evacuations may all pose difficulties for this population.
- Long term care facility workers- may have increased vulnerability during disease outbreaks if proper protection is not utilized in the initial phases. Fecal/oral transmission modes as well as airborne and direct contact may put workers at increased risk during biological outbreaks.

- Low-educational level individuals- may have difficulty understanding warnings and emergency direction. This may be particularly true in situations that involve medical terminology or complex directions and procedures. Written instructions may have little value and may pose increased frustration to these individuals.

## M

- Media- focused groups- any time media attention is focused on a segment of the population, they may become particularly vulnerable during emergencies as they try to make decisions, follow directions and act appropriately under the spotlight of media attention. The decisions they make and action they take, may also impact the rest of the community and the emergency response effort.
- Medical equipment dependent individuals- will be particularly vulnerable in any hazardous situation that involves the threat of utility disruption. Open medical equipment is not easily portable and may cause dependent individuals to be more vulnerable during rapid evacuation scenarios. Evacuation centers may not be adequately prepared to adapt to medical equipment needs and supplies for the equipment usage may also be in short supply taxing these individuals.
- Medication dependent individuals- will be particularly vulnerable during a hazardous situation if medication supplies are limited or unavailable. Existing medication regimes may also have an impact during biological events that require prophylactic medication administration due to drug interaction concerns.
- Mental Health Institution residents- may be vulnerable in any hazardous situation that challenges or threatens their basic needs and general routine. Some institutions may have special areas of “lock-down” or forced confinement that may be vulnerable to utility disruptions. Transportation of residents may also be difficult, particularly in a crisis situation. Disease, particularly if transmitted through airborne, fecal/oral, or direct contact will increase the vulnerability of any large group of residents housed within shared ventilation facilities or in daily close contact situations.
- Mental Health Workers- may be particularly vulnerable during situations that threaten their clients or cause increase anxiety or violence in their clients. Biological outbreaks may easily spread among clients and workers as well when disease transmission routes are direct contact or airborne.
- Mobility challenged individuals- will be particularly vulnerable in situations that require rapid evacuation or response.

## N

- Newborns- are at high risk during any type of disease transmission if they are in a position to come in contact with the disease agent because their body systems and resistance to disease may not be fully developed. Any situation that threatens food, shelter (body temperature control), or water supplies puts newborns at an increased level of vulnerability, as their compensatory mechanisms are not highly developed.

## O

- Other (identify) \_\_\_\_\_

## P

- Parents- may be vulnerable in situations that separate them from their children. In biological emergencies parents may be particularly concerned they will pass disease on to their children, or may be vulnerable to contracting disease from their children.
- People dependent on public transport- will be vulnerable in situations requiring them to get to a safe area, if no public transportation is available. Evacuation from a downtown core for example will leave those dependent on the public system vulnerable to the hazard until transportation can be supplied. In cases of disease outbreak through airborne transmission in particular, those who depend on public transport may be more vulnerable as they will be exposed to large numbers of persons in confined areas until precautions can be established. If public transport is unavailable or considered unsafe, many workers may not be able to commute to work and this may have a collateral sector impact effect.
- People with disabilities- any time a hazardous situation is present or threatened, people with disabilities should be assessed for their degree of particular vulnerability given the nature of the threat and their disability
  - o Mobility specific- may have difficulty in evacuations
  - o Hearing related- may not hear warning, instructions, directions,
  - o Visual- may not see warning signs, have difficulty seeing safe areas or hazards, may have difficulty in evacuations
  - o Communication- may not understand warnings and directions and may not be able to communicate their concerns or situation to emergency workers. Might not be able to communicate area they were trapped in during building collapse situation.
  - o Physical- may have difficulty during evacuation, when routine is disrupted, or environment significantly changed.
  - o Mental or cognitive- may not fully understand warnings, instructions, or the gravity of the situation.
  - o Multiple chemical sensitivities- may have increased vulnerability during hazards involving air quality, may be particular vulnerable in reception center areas or places where large numbers of crowds have gathered.



- Pet owners- may be vulnerable in situations where owners are required to leave their pets behind. May not be as quickly portable or willing to evacuate. May require special supplies (cages, food, sanitation needs for pets) during alternative housing arrangements. Pet owners may be particularly vulnerable in disease situations where the vector can be transmitted from animal to human.
- Poverty level or below income individuals/families- may be vulnerable in situations such as evacuations that require some degree of disposable income readily available (ex. to put gas in vehicle, stay at hotel, or buy food and water if initial supplies unsafe). In shelter-in-place situations such groups may have less resources and supplies on hand to sustain them throughout the emergency.
- Pregnant women- may be vulnerable in disease outbreak where the risk of disease transmission to the fetus is a concern. In cases where prophylactic medications or vaccines are required there may be concern the treatment may affect the unborn child. During chemical or radiological exposure there is a risk of exposure not only to the mother but to the fetus as well. The stress of emergency procedure requirements may place the mother at risk of premature labor.

## Q

## R

- Renters- in situations that involve structural damage may be particularly vulnerable if they lose all assets and don't have adequate insurance coverage or disposable income to provide housing/shelter and basic needs.
- Restaurant workers- may be vulnerable in biological emergencies where disease is transmitted via food borne contamination. In community emergencies where disease transmission occurs through direct droplet contact, people who clear tables and wash dishes may be at particular risk if appropriate precautions (gloves) are not taken.

## S

- Schools – are particularly vulnerable if the emergency occurs during ‘in-class’ hours due to the high children to adult ratio. Loss of contact between children and parents or caregivers may cause anxiety and unpredictable or inappropriate action.
- Single income families- may be vulnerable in situations where the sole income earner is unable to go to work or continue to supply the income due to emergency closures, illness or community disruption.

- Single parents- may be more vulnerable in emergencies that require them to be separated from their children, unable to provide adequate childcare. This may include sub-groups such as health care workers that are required to put in longer shifts at their work place but have responsibilities to provide childcare with no alternative support system. Situations that require school or day care closures may particularly strain these individuals if they are responsible for providing income and being at work, and supplying childcare. There may also be increased vulnerability in court order custody situations that make movement of children difficult.
- Social assistance recipients- may be particularly vulnerable in situations where disposable income is required for alternative housing, food, or basic need provisions. Such individuals may have less resources and supplies on hand if confinement is required for a period of time. In situations where cheque generation, mail delivery, or government office shut down occurs, this group may suffer the collateral damage if their income is not delivered on time.
- Socially isolated individuals- may have less resources and support systems to aid them during emergency situations. There may be less ability to notify authorities of their situation and need for aid.
- Social workers- may be vulnerable during prolonged emergency situations if their clients become over stressed, and act in inappropriate or violent ways. Social workers may be required to work prolonged hours in reception centers and during debriefing situations that put them at risk for disease transmission, illness, or stress reactions.

## T

- Transients- may be vulnerable during emergencies as their resources, disposable income, and supplies may be unable to sustain them through the crisis. With no support systems or definitive places of shelter they may be lacking in basic needs. Depending on the length of time they have been in the area, they may be unsure of evacuation routes, emergency procedures and warning systems. If others are unaware of their location they may not be searched for appropriately in situations of structural collapse.
- Transportation routes, terminals (populations within)- because of the high impact and large concentration of people within transportation systems and terminals they may become targets of attack leaving the population within at increased risk of death, injury or disease. During community disease outbreak, the high concentration of individuals may allow airborne transmission of biological agents within the terminal or transport system until proper precautions are activated. Persons in transit during a hazardous situation such as a chemical release may be vulnerable to exposure due to a lack of ability to quickly shelter-in-place appropriately. Persons in transit during emergencies may also be suddenly cut off from family, resources and supplies.

- Transportation workers- because of the high impact and large concentration of people within transportation systems and terminals they may become targets of attack leaving transportation workers at increased risk of death, injury or disease. During community disease outbreak, the high concentration of individuals may allow airborne transmission of biological agents within the terminal or transport system until proper precautions are activated. Transport workers during a hazardous situation such as a chemical release may be vulnerable to exposure due to a lack of ability to quickly shelter-in-place appropriately.
- Tourists- may be vulnerable due to their lack of knowledge of the community, of emergency procedures and warning and notification systems. They may have language barriers or cultural differences that place them in more vulnerable situations with limited resources and supplies.

## U

- Unemployed- may be vulnerable during emergencies as their disposable income and resources may be limited leaving them unable to be self-sufficient for extended periods of time. In situations where mail delivery and government agencies are not functioning, their sole source of income (government support) may quickly be depleted.
- University populations- may be vulnerable as they include a large population of young adults who are suddenly faced with decisions they may not be used to making. Many university populations contain a diverse demographic group with a variety of cultural needs that may be difficult to assess and supply during an emergency. Disease agents can be spread quickly through such a concentrated population within the confines of the university leaving this population vulnerable until precautions can quickly be instituted. In certain terrorist threats, university may be vulnerable to attack depending on the types of resources on site such as biology labs, cultural organizations, and organized groups.
- University residences populations- with large numbers of young adults not used to being completely self-reliant may be particularly vulnerable. Students living in the residence may be quite limited in their knowledge of the community outside the university and may be unfamiliar with exit routes, and emergency procedures. During biological emergencies residences may be particularly vulnerable to the transmission of disease due to close contact, shared ventilation, sanitation, and food areas.

## V

- Veterinary workers- may be vulnerable during disease outbreaks when transmission occurs from animal to human.

## W

- Wildlife workers- may be vulnerable during disease outbreaks when transmission occurs from animal to human populations.

- Wildlife populations- may be vulnerable during emergencies such as fires, floods or earthquakes that destroy or alter their natural habitats. This may have a collateral impact in that wildlife may suddenly be in closer proximity to human populations and may display unpredictable behaviors.

## **X**

## **Y**

- Youth groups-may be vulnerable during emergencies as they may be require to cope with little background experience or decision-making skills. In groups where the ratio of youth to adults is high or no adults are present, this lack of experience may increase their vulnerability. They may not understand the urgency of the situation or the emergency, notification or procedural instructions.

## **Z**

- Zoo workers- may be vulnerable during outbreaks where disease can be transmitted from animal to human populations. During other emergencies such as fires, floods, earthquakes, or terrorist attacks zoo workers may also be vulnerable if animals within their care become panicked, unpredictable, trapped, or loose.

(a) Structure Fires

The majority of dwellings are of wood construction and fire constitutes a major hazard, particularly in areas of relatively high density.

(b) Road

The continual increase in the volume of traffic will increase the danger of road accidents and planners should be aware of access routes and population location and growth.

(c) High Winds

The disruption of power and telephone services by high winds must be considered by emergency planners.

(d) Heavy Snowfall

Heavy snowfall has been experienced in the past and adds to an ever present transportation danger.

(e) Explosion – Natural Gas

The changeover to natural gas by industries in the Municipality such as CKF should be considered along with the increased transportation of this hazard through the county to other areas of Nova Scotia.

(f) Hazardous Materials

There is some industries located in the Municipality that work with hazardous materials in process management. These responses are managed by the local fire service in coordination with other hazmat teams by mutual aid agreement.

(g) Forest Fires

An ever increasing number of residential areas are being developed where they are surrounded by forest. Hence the potential exists for a forest fire to threaten an area of human habitat. The majority of dwellings are of wood construction and fire constitutes a major hazard, particularly in areas of relatively high density. Forest fires present a very real hazard.

(h) Overland Flooding

The risk of increased flooding and erosion as a result of sea level rise or storm surge is a real concern. The potential for more frequent and severe freshwater flooding during high precipitation events is a threat that is intensified by the operations of the Avon River Causeway tide gates and the upstream hydroelectric system dams.

(i) Inland Flooding

The risk of drought as a result of changes in weather patterns will increase the risk of wildland fires and possible water shortages for citizens on well water. A prolonged drought could severely affect the water table of the Municipality.

(j) Drought

The risks with changes to climate is there will be changes to weather patterns that will potentially effect our lakes, rivers and ground water systems levels. This could lead to dry wells and reduced water supplies for the municipal water systems. A drought will also effect the Farming and forestry industries and uses.



## Hazard List from NS-EMO HRVA Model Influenced by Changing Climate

For each of the identified Natural Hazards, the Climate Change influence and typical impacts are identified. The list should not be considered exhaustive in nature. Your local situation may indicate a need to exclude some impacts or add others not listed. This list is meant as a guide only.

**Table 1**

Hazard/Event	Climate Change Impacts/Influence	Typical Impacts
<b>Natural Events</b>		
Animal Disease Outbreak	Pest infestation affecting animal disease; wetter winters & dryer summers will increase disease (hoof infections/mud fever); decreased water & food supplies	Food shortage; transmission to humans; increased need for health care treatment; transportation disruption; media surge; public disorder; carcass disposal; economic disruption
Coastal Flooding/Sea Level Rise/Storm Surge	Increased frequency & intensity due to ice melt, increased temperatures; rising sea level	Fatalities, injuries; displacement; Erosion of headlands, shoreline areas, roads, damage to infrastructure; Drinking water contamination (increased salinity); runoff & drainage issues; power disruption; increased flooding events; economic/environmental impacts fishing industry
Drought	Increased frequency & intensity due to dryer summers, increased temperatures	Increased demands on Health Care System; Decreased water supply (watershed supplies & wells); Crop damage; pest infestation; animal disease/death; increased Wildland fires
Epidemic/pandemic (Human)	Pest infestations carrying disease; new infectious disease agents	Fatalities; prolonged hospitalization/treatment; business disruptions; utility/infrastructure disruption;

	spreading from south to north;	essential services disruption; public disorder
Forest fire/wildfire	Increased frequency; drought causing increased fuel & decrease in water suppression supplies; warmer winters/less snow pack increasing season for fires	Displacement; property damage; transportation disruption; long-term environmental impacts; air pollution; animal displacement/death;
Hot Days /Heat Wave	Increased frequency & temperatures predicted; likely to be experienced in areas not used to increased temperatures	Fatalities; increased need for health care/hospitalization; displacement; crop damage; increase electricity use; work slow down/stoppage; crop damage; pest infestation; animal distress/death
Hurricane	Increased frequency & intensity due to rising sea temperatures and water levels	Fatalities, injuries; displacement; isolation; property damage; power disruption; telecommunications disruption; flash flooding; infrastructure disruption; transportation disruption, community lifeline damage; food & fuel shortages
Inland Flooding	Increased frequency, greater areas of involvement due to sea water rise, storm surge & coastal erosion, salt water intrusion in ground water; increased frequency of heavy rainfall events	Fatalities; injuries; displacement; isolation; water contamination; community lifeline (bridge) damage; landslides/erosion; transportation disruption; food & fuel shortages; property damage



Severe Thunderstorm/Tornado/Hailstorm	Increase in extreme weather events and storm activity predicted	Fatalities, injuries; displacement; property damage, power disruption, telecommunications disruption; flash flooding; crop damage; animal deaths/injuries;
Winter Storm (blizzard/ice storm)	Increase in extreme weather events suggesting that storm activity will worsen; with rise in winter temperatures may be increase in freezing rain/ice storms	Fatalities, injuries; displacement; isolation; property damage, crop damage, livestock fatalities/disease; power disruption; telecommunications disruption; transportation disruption; community lifeline damage, food & fuel shortages, storm surge flooding
Others (Identify)		

## Nova Scotia Community Scale Hazards List with Typical Impacts

For each of the identified Community Scale Hazards, the typical impacts are identified. The list should not be considered exhaustive in nature. Your local situation may indicate a need to exclude some impacts or add others not listed. This list is meant as a guide only.

Table 1

Hazard/Event	Typical Impacts
<b>Natural Events</b>	
Animal Disease Outbreak	Food shortage; transmission to humans; increased need for health care treatment; transportation disruption; media surge; public disorder; carcass disposal; economic disruption
Epidemic/pandemic (Human)	Fatalities; prolonged hospitalization/treatment; business disruptions; utility/infrastructure disruption; essential services disruption; public disorder
Flood	Fatalities; injuries; displacement; isolation; water contamination; community lifeline (bridge) damage; landslides/erosion; transportation disruption; food & fuel shortages; property damage
Forest fire/wildfire	Displacement; property damage; transportation disruption; long-term environmental impacts; air pollution; animal displacement/death;
Hail Storm	Property damage; transportation disruptions; crop damage; flash flooding; power disruptions; telecommunications disruptions
Heat Wave	Fatalities; increased need for health care/hospitalization; displacement; crop damage
Hurricane	Fatalities, injuries; displacement; isolation; property damage; power disruption; telecommunications disruption; flash flooding; infrastructure disruption; transportation disruption, community lifeline damage; food & fuel shortages
Magnetic Storm	Telecommunication disruptions; infrastructure disruption; power disruption, transportation

	accidents/disruption;
Winter Storm (blizzard/ice storm)	Fatalities, injuries; displacement; isolation; property damage, crop damage, livestock fatalities/disease; power disruption; telecommunications disruption; transportation disruption; community lifeline damage, food & fuel shortages, storm surge flooding
Tornado	Fatalities, injuries; displacement; property damage, power disruption, telecommunications disruption; flash flooding; crop damage; animal deaths/injuries;
Tsunami	Fatalities, injuries; displacement; property damage, long-term environmental damage; power disruption; telecommunications disruption, transportation disruption; flash flooding, community lifeline damage, food & fuel shortages
Volcanic eruption	Crop damage; injury/increased need for health services; animal fatality/disease; food & fuel disruption; transportation disruption; telecommunications disruption
Others (Identify)	
<b>Technological Events</b>	
Telecommunications Disruption	Banking disruption; Infrastructure loss (911, dispatching, traffic control, water treatment, security systems); Food & fuel shortage; transportation disruption; public disorder
Others (Identify)	
<b>Industrial</b>	
Hazardous Material Spill/Release	Fatalities, injury/increased need for specialized medical treatment /hospitalization; long term health issues; displacement; isolation; decontamination with specialized equipment; long term environmental contamination; animal death/disease; crop failure; property damage; food & fuel shortage; water contamination; air contamination; fire; explosion; public disorder
Transportation Disruption (Air, Rail, Road,	Fatalities, injury; displacement; isolation; long

Ship)	term environmental contamination; decontamination with specialized equipment; property damage; food & fuel shortages
Others (Identify)	
<b>Human-Induced</b>	
Bomb/explosive device	Fatalities, injury/increased need for specialized medical treatment/hospitalization; long-term health effects; decontamination with specialized equipment; displacement; property damage; public disorder
Civil Disorder/Disturbance/Riot	Fatalities, injury; property damage; increased need for security measures/legislation
Urban Fire	Fatalities, injuries; displacement; property damage; power disruption; telecommunications disruption
Others (Identify)	

Blizzards/Massive Snowstorms		Bomb Threat		Bombing (Actual, not threats)		Chemical Contamination/Spill	
Likelihood/Probability	Severity/Consequences	Likelihood/Probability	Severity/Consequences	Likelihood/Probability	Severity/Consequences	Likelihood/Probability	Severity/Consequences
5	2	3	2	1	5	3	4
5	4	2	4	1	5	4	3
5	4	2	2	1	5	3	4
3	2	2	3	1	5	4	3
5	2	2	1	1	5	4	4
3	3	2	3	2	4	2	3
5	5	2	2	1	1	3	3
4	3	2	2	2	2	3	3
4	4	4	3	2	4	5	5
5	3	2	2	1	5	2	3
5	5	4	3	4	5	5	4
4	4	1	1	1	1	3	3
4	3	3	2	1	4	3	4
4	3	3	3	3	3	4	3
4	3	1	1	1	2	4	3
4.3	3.3	2.3	2.3	1.5	3.7	3.5	3.5

Civil Disobedience or Rioting		Dam/Dyke Rupture		Drought		Earthquake	
Likelihood/Probability	Severity/Consequences	Likelihood/Probability	Severity/Consequences	Likelihood/Probability	Severity/Consequences	Likelihood/Probability	Severity/Consequences
1	2	2	5	5	3	1	3
1	4	3	5	4	3	2	4
1	3	2	5	3	3	2	5
2	1	3	4	3	2	1	3
2	4	3	5	3	4	1	2
1	4	4	3	4	4	1	4
1	1	3	3	2	2	1	1
2	2	4	3	2	2	3	3
2	1	3	4	4	1	0	0
1	2	2	2	3	2	2	4
3	3	3	5	3	5	3	5
2	3	3	4	3	3	1	1
1	3	1	4	3	4	1	4
2	2	0	0	1	1	1	1
2	1	3	2	2	1	0	0
1.6	2.4	2.6	3.6	3.0	2.7	1.3	2.7

Electric Power Blackout		Epidemic		Explosions		Major Structure Fire	
Likelihood/Probability	Severity/Consequences	Likelihood/Probability	Severity/Consequences	Likelihood/Probability	Severity/Consequences	Likelihood/Probability	Severity/Consequences
5	1	2	3	2	2	5	3
5	4	4	2	3	3	5	4
3	3	2	5	2	5	4	4
5	1	3	3	3	4	5	4
3	2	2	4	2	3	5	3
2	2	3	3	3	3	4	3
3	3	2	2	2	2	4	4
3	3	3	3	3	3	4	3
0	0	0	0	2	4	4	4
3	2	2	4	2	5	4	4
5	5	4	5	4	4	5	4
3	4	2	3	3	4	3	3
3	3	1	4	1	4	3	4
4	3	4	4	2	4	4	4
3	2	1	1	3	3	5	3
3.3	2.5	2.3	3.1	2.5	3.5	4.3	3.6

Flash Flood		Forest Fire		Freezing Rain/Ice Storm		Heatwave	
Likelihood/Probability	Severity/Consequences	Likelihood/Probability	Severity/Consequences	Likelihood/Probability	Severity/Consequences	Likelihood/Probability	Severity/Consequences
3	3	5	3	5	2	5	2
4	4	4	4	5	4	5	3
4	4	1	4	4	4	3	4
4	3	5	2	5	1	4	2
4	3	5	2	5	3	4	2
4	3	4	4	4	3	3	2
3	3	3	3	5	5	3	3
3	3	4	3	4	3	4	3
0	0	3	4	4	4	1	1
4	3	4	3	5	3	4	2
5	4	5	5	5	5	5	3
3	4	3	4	4	4	4	4
1	3	2	4	4	2	3	3
3	3	4	3	4	4	3	2
2	2	4	4	4	3	3	2
3.1	3.0	3.7	3.5	4.5	3.3	3.6	2.5

Hostage Incident		Hurricane		Long-term Power Outage		Major Frost/Freeze	
Likelihood/Probability	Severity/Consequences	Likelihood/Probability	Severity/Consequences	Likelihood/Probability	Severity/Consequences	Likelihood/Probability	Severity/Consequences
1	4	4	4	2	3	5	2
1	2	4	4	4	4	4	4
1	3	5	4	3	4	5	2
2	3	4	3	3	3	5	1
2	4	5	2	3	4	4	3
3	2	4	3	2	4	3	2
2	2	3	3	3	3	4	4
2	3	3	3	4	3	4	3
3	1	3	1	0	0	1	1
2	3	4	4	3	3	3	3
3	3	4	5	5	5	5	3
2	2	4	4	3	4	3	3
1	3	3	4	2	3	4	2
2	3	4	3	2	2	3	1
1	1	0	0	3	2	3	2
1.9	2.6	3.6	3.1	2.8	3.1	3.7	2.4

Major Gas Main Break		Major Hailstorm		Major Industrial Accident		Major Motor Vehicle Accident	
Likelihood/Probability	Severity/Consequences	Likelihood/Probability	Severity/Consequences	Likelihood/Probability	Severity/Consequences	Likelihood/Probability	Severity/Consequences
1	4	2	2	3	4	5	2
3	4	4	3	3	2	5	3
0	0	3	3	2	4	5	3
2	3	3	1	4	3	5	2
1	2	2	2	4	3	5	4
1	1	3	3	1	1	3	3
0	0	3	3	3	3	3	3
4	3	4	3	4	3	4	3
1	1	1	1	1	1	5	4
2	4	4	2	2	3	4	5
1	1	5	4	4	4	5	4
2	2	4	4	3	3	3	3
1	3	3	3	1	3	4	3
3	3	2	1	2	3	5	4
0	0	2	1	3	3	5	3
1.5	2.1	3.0	2.4	2.7	2.9	4.4	3.3

Major Water Main Break		Magnetic Storm		Mudslide/Landslide		Pipeline/CNG Explosion	
Likelihood/Probability	Severity/Consequences	Likelihood/Probability	Severity/Consequences	Likelihood/Probability	Severity/Consequences	Likelihood/Probability	Severity/Consequences
5	1	1	2	2	2	0	0
3	3	1	2	1	2	1	3
4	3	1	3	1	4	0	0
5	2	3	1	3	2	2	3
3	2	1	1	2	1	1	1
2	2	2	2	1	1	2	3
3	3	2	2	2	1	1	1
4	3	2	2	2	2	2	2
0	0	0	0	1	1	0	0
3	2	0	1	1	2	0	4
3	3	4	5	3	3	2	4
3	3	2	2	2	2	2	2
3	3	1	2	1	2	0	3
3	4	0	0	0	0	0	0
3	2	1	1	2	0	0	0
3.1	2.4	1.4	1.7	1.6	1.7	0.9	1.7

Plane Crash (in Community)		Radiological Accident		River Flood		Severe Fog	
Likelihood/Probability	Severity/Consequences	Likelihood/Probability	Severity/Consequences	Likelihood/Probability	Severity/Consequences	Likelihood/Probability	Severity/Consequences
1	4	0	0	5	3	5	1
1	3	1	4	5	3	5	1
1	5	1	4	3	4	4	2
1	4	2	4	4	1	4	1
2	5	1	3	4	2	2	2
3	3	3	3	4	3	1	1
1	1	1	1	2	2	3	3
4	3	4	3	3	2	3	3
2	2	0	0	0	0	0	0
1	5	1	3	3	3	3	1
3	5	3	3	4	4	5	1
2	2	2	2	4	4	4	4
2	4	1	2	3	3	2	2
1	2	1	1	3	3	1	1
1	4	0	0	1	2	4	2
1.7	3.2	1.4	2.2	2.9	2.4	2.7	1.6



Small Boat Lost or Accident		Sudden Waste Disposal Problem		Train Derailment		Tornado	
Likelihood/Probability	Severity/Consequences	Likelihood/Probability	Severity/Consequences	Likelihood/Probability	Severity/Consequences	Likelihood/Probability	Severity/Consequences
5	1	2	3	1	3	1	4
5	1	2	1	1	1	2	5
5	2	1	2	0	0	2	5
5	2	2	1	1	2	2	4
4	3	1	1	0	0	1	2
3	2	4	4	3	1	2	1
3	3	2	2	1	1	1	1
4	3	4	3	2	1	3	2
4	3	0	0	1	1	1	1
4	4	2	1	0	4	1	5
5	3	3	2	0	0	4	5
3	3	3	4	1	1	3	3
2	2	4	2	0	3	1	3
3	1	1	0	0	0	2	3
5	3	5	2	0	0	0	0
3.7	2.3	2.3	1.7	0.7	1.0	1.7	2.7

Tsunami		Water Pollution		Water Shortage		Volcanic Eruption	
Likelihood/Probability	Severity/Consequences	Likelihood/Probability	Severity/Consequences	Likelihood/Probability	Severity/Consequences	Likelihood/Probability	Severity/Consequences
1	2	2	4	5	2	0	0
1	5	3	3	4	3	0	0
1	5	2	5	2	4	1	5
1	4	3	2	5	1	1	4
1	3	3	3	3	3	0	0
1	1	3	3	4	4	0	0
1	1	2	2	2	2	0	0
2	2	4	2	2	3	1	1
1	1	0	0	0	0	0	0
1	5	2	2	1	3	0	5
4	5	3	3	4	5	1	1
2	2	3	4	3	3	1	1
1	4	3	3	1	3	0	4
0	0	3	4	3	3	0	0
0	0	2	0	2	0	0	0
1.1	2.5	2.4	2.4	2.4	2.5	0.3	1.4



## **TOWN OF WINDSOR BYLAW # 41 SPECIAL EVENT BYLAW**

### **AUTHORITY**

Section 172 (1) (a-c), and (d) (iii-vi) of the *Nova Scotia Municipal Government Act (MGA)* provides municipalities with the power to make bylaws, for municipal purposes, respecting the health, well-being, safety and protection of persons; the safety and protection of property; persons, activities and things in, on or near a public place or place that is open to the public, and respecting nuisances, activities and things that, in the opinion of council, may be or may cause nuisances, including noise, as well as prescribing the hours during which certain noises, or all noise above a certain level, specified in the by-law is prohibited, authorizing the granting of exemptions in such cases as the bylaw provides, and providing that it is an offence to engage in any activity that unreasonably disturbs or tends to disturb the peace and tranquility of a neighbourhood.

Section 10A of the *Emergency Management Act* - Chapter 8 of the Acts of 1990, amended 2005, c. 48, ss. 1-6; 2007, c. 10, s. 2; 2009, c. 12 – An Act to Provide for a Prompt and Co-ordinated Response to a State of Emergency, states that “*Every municipality shall, immediately upon becoming aware of it, inform the Emergency Management Office of any real or anticipated event or emergency that could impact the health, safety or welfare of Nova Scotians, their property or the environment.* 2009, c. 12, s. 3.

### **INTERPRETATION**

**41.01** In this Bylaw, unless the context otherwise requires:

- a) “Coordinator” means the REMO Coordinator for the Town of Windsor;
- b) “Large” means five hundred (500) or more;
- c) “Special Event” means any event where a large number of people (five hundred or more) are brought together to watch or participate in a commercial dance or other entertainment performance or other event where:
  - (i) the, performance or event is held for the purpose of providing entertainment, whether such entertainment is free or for profit or gain;

- (ii) tickets may be provided or sold and / or an entrance or attendance fee is charged for persons to attend; and
- (iii) music, noise or sound of any kind or source, including but not limited to amplified, recorded or computer generated music, amplified recorded or computer generated sounds, live music, sound or band music is performed or played.
- d) "Promoter" means the person/group/organization who has the financial responsibility for the **special event** including contracting with entertainers, security firm, overtime policing costs, renting the facility, advertising the **special event**, and collecting gate receipts;
- e) "REMO" means Regional Emergency Management Organization;
- f) "Town" means the Town of Windsor.

## GENERAL PROHIBITION

**41.02** A person must not promote, organize or hold a **special event** without first obtaining an event permit issued in accordance with the provisions of Section 41.03 of this by-law.

## EVENT PERMIT(S)

**41.03** (1) Event Permit Application Procedure

- (a) A **promoter** wishing to organize or hold a **special event** must complete an event application provided by the **Town** for that purpose.
- (b) The event application specified in subsection (a), must:
  - (i) be signed by the **promoter**;
  - (ii) be presented to the **Coordinator** at least forty-five (45) days prior to the event; and,
  - (iii) be accompanied by an application fee of \$100.

(2) Event Permit Requirements

- (a) The **Town** will only issue a **special event** permit for events where:
  - (i) premises continue to meet all relevant fire, safety, and health regulations/codes;
  - (ii) a payment is made to the Town prior to the issuance of the event permit for additional policing services on the basis of such presented by the RCMP (based up to the maximum capacity of the facility, and as established in the event application);
  - (iii) there is adequate traffic control and security plan in place for the **special event** which includes provisions for:

- (a) first aid;
  - (b) entrance control to deter alcohol or illicit drugs being brought to the premises during a **special event**;
  - (c) outside inspection and clean up in the vicinity of the premises during and after the event;
  - (d) the employment of a security firm licensed by the Government of Nova Scotia;
  - (e) traffic control for safe traffic and pedestrian flow.
- (iv) There is provision for an adequate supply of potable water to those in attendance.
- (3) A permit for a **special event** will not be issued to any **promoter**:
- (a) who does not have a valid business license to hold such **special event**, or
  - (b) who does not agree to comply with existing town by-laws, or Provincial statutes or regulations, or
  - (c) whose application indicates the employment or hiring of any person or company connected with a previous **special event**, was operated in contravention of any town by-laws or Provincial statutes or regulations.

## SEVERABILITY AND CITATION

- 41.04**
- (1) Any person who fails to comply with the provisions of this Bylaw for which no penalty is expressly provided shall be liable on conviction to a penalty of not less than Two Thousand Dollars (\$2,000.00) and not more than Ten Thousand Dollars (\$10,000.00), and in default of payment, to imprisonment for a term not exceeding two (2) months.
  - (2) If any part, section, subsection, clause, or sub clause of this bylaw is, for any reason, held to be invalid by the decision of a court of competent jurisdiction, such decision does not affect the validity of the remaining portions of this bylaw.
  - (3) This bylaw is cited as the “**Special Event Bylaw # 41**”

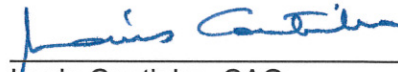
This Bylaw is effective upon publication.



**Clerk's Annotation (Office Use Only)**

Date of first reading:	Tuesday, December 20, 2011
Dates of advertisement of Notice of Intent to Consider:	January 05 & February 02, 2012
Date of second reading:	February 28, 2012
*Date of advertisement of Passage of Bylaw:	March 08, 2012
Date of mailing to Minister a certified copy of Bylaw:	March 12, 2012

I certify that this **Special Event Bylaw #41** was adopted by Council and published as indicated above

  
\_\_\_\_\_  
Louis Coutinho, CAO  
Town of Windsor

\*Effective Date of the Bylaw unless otherwise specified in the text of the Bylaw



**MUNICIPALITY OF THE DISTRICT OF WEST HANTS**  
*Special Events By-law*

**1. Citation**

- 1.1 This by-law may be cited as the "Special Events By-law".

**2. Authority**

- 2.1 Section 172 (1) (a-c), and (d) (iii-vi) of the *Nova Scotia Municipal Government Act (MGA)* provides municipalities with the power to make by-laws, for municipal purposes, respecting the health, well-being, safety and protection of persons; the safety and protection of property; persons, activities and things in, on or near a public place or place that is open to the public, and respecting nuisances, activities and things that, in the opinion of Council, may be or may cause nuisances, including noise.

As well, Council has the authority to prescribe the hours during which certain noises, or all noise above a certain level, specified in this by-law is prohibited, authorizing the granting of exemptions in such cases as the by-law provides, and providing that it is an offence to engage in any activity that unreasonably disturbs or tends to disturb the peace and tranquility of a neighbourhood.

- 2.2 Section 10A of the *Emergency Management Act* – Chapter 8 of the Acts of 1990, amended 205, c. 48, ss. 1-6, c. 1 s. 2; 29, c. 12 – An Act to Provide for a Prompt and Coordinated Response to a State of Emergency, states that "Every municipality shall, immediately upon becoming aware of it, inform the Emergency Management Office of any real or anticipated event or emergency that could impact the health, safety or welfare of Nova Scotians, their property or the environment" 2009, c. 12, s. 3.
- 2.3 Division B, Section 2.9 of the National Fire Code of Canada 2010 and Division B, Section 3.1.6 of the National Building Code of Canada 2010, outlines the requirements for the erection and use of Tents and Air Supported Structures and other types of membrane structures. The authority to inspect and approve the use of these apparatus is granted to the Municipality of West Hants' Fire Inspector, as appointed by Council. Additional standards that must be adhered to include the National Fire Protection Association Standard #7095 or CAN/ULC-S109.
- 2.4 The *Nova Scotia Fire Safety Act* also provides guidance to Special Events structures and operations. This Act is administered by the Fire Inspector who will grant approval based on meeting the requirements of the Act.

### **3. Interpretation**

3.1 In this By-law, unless the context otherwise requires:

- a. "Coordinator" means the REMO Coordinator for the Municipality of West Hants, or other qualified person appointed by the Chief Administrative Officer;
- b. "Large" means five hundred (500) or more;
- c. "Special Event" means any event where a large number of people (five hundred or more) are brought together to watch or participate in entertainment, performance or gathering or other event where:
  - i. the performance or event is held for the purpose of providing entertainment or information, whether such entertainment or information is free or for profit or gain;
  - ii. tickets may be provided or sold and/or an entrance or attendance fee is charged for persons to attend; and
  - iii. music, noise or sound of any kind or source, including but not limited to amplified, recorded or computer generated music, amplified recorded or computer generated sounds, live music, sound or band music is performed or played.
- d. "Promoter" means the person/group/organization who has the financial responsibility for the special event including contracting with entertainers, security firm, overtime policing costs, renting the facility, advertising the special event, and collecting gate receipts;
- e. "REMO" means Regional Emergency Management Organization;
- f. "Municipality" means the Municipality of the District of West Hants.
- g. "Unacceptable noise or noise level" means in any activity that unreasonably disturbs or tends to disturb the peace and tranquillity of a neighbourhood beyond the parameters set out in a Special Events Permit.
- h. "Operational plan" means the details of the proposed event which are included with an event application, as prescribed by the Municipality, and includes:
  - i. Description of the proposed event,
  - ii. Location where the event is to be held,
  - iii. Security plan which outlines the entrance (line control), during and exiting the location, which meet industry standards,
  - iv. Fire and evacuation plan,
  - v. Medical safety plan,
  - vi. Operational set up and take down plan.

### **4. General Prohibition**

4.1 A person must not promote, organize or hold a special event without first obtaining a Special Event Permit issued in accordance with the provisions of Section 5.1 of this By-law.

## **5. Special Event Permit(s)**

### **5.1 Permit Application Procedure**

- a. A promoter wishing to organize or hold a special event must complete an application provided by the Municipality for that purpose.
- b. The application specified in subsection (a), must:
  - i. be signed by the promoter;
  - ii. be presented to the Coordinator at least forty-five (45) days prior to the event; and
  - iii. be accompanied by an application fee of \$100.

### **5.2 Event Permit Requirements**

- a. The Municipality will only issue a special event permit for events where:
  - i. premises continue to meet all relevant fire, safety, and health regulations/codes;
  - ii. a payment is made to the Municipality prior to the issuance of the event permit for additional services, which may include policing services on the basis of such presented by the RCMP (based up to the maximum capacity of the facility, and as established in the application); other services contracted with the Municipality
  - iii. there is an adequate traffic control and security plan in place for the special event which includes provisions for which form part of the operational plan:
    - a) first aid;
    - b) entrance control to deter alcohol or illicit drugs being brought to the premises during a special event;
    - c) outside inspection and clean up in the vicinity of the premises during and after the event;
    - d) the employment of a security firm licensed by the Government of Nova Scotia;
    - e) traffic control for safe traffic and pedestrian flow.
  - iv. there is provision for an adequate supply of potable water to those in attendance.
  - v. the promoter sets the start and end time of the event
  - vi. proof has been provided of adequate insurance coverage naming the Municipality as a third party for the term of the special event
  - vii. there is provision for take down and clean up of the site to the condition it was received, if the site used is owned by the Municipality

### **5.3 A Special Events Permit will not be issued to any promoter:**

- a. who does not have a valid business license to hold such special event, or
- b. who does not agree to comply with existing municipal by-laws, or Provincial statutes or regulations, or,





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- c. whose application indicates the employment or hiring of any person or company connected with a previous special event, was operated in contravention of any municipal by-laws or Provincial statutes or regulations.

## 6. Penalty and Severability

- 6.1 Any person who fails to comply with the provisions of this By-law for which no penalty is expressly provided shall be liable on conviction to a penalty of not less than two thousand dollars (\$2000) and not more than ten thousand dollars (\$10,000), and in default of payment, to imprisonment for a term not exceeding two (2) months.
- 6.2 If any part, section, subsection, clause, or sub clause of this By-law is, for any reason, held to be invalid by the decision of a court of competent jurisdiction, such decision does not affect the validity of the remaining portions of this by-law.

I, Rhonda Brown, Municipal Clerk of the Municipality of the District of West Hants, the Province of Nova Scotia, do hereby certify that this is a true copy of the By-law as adopted by the Council of the Municipality of the District of West Hants at a meeting duly called and held on the 9<sup>th</sup> day of **August, 2016**.

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R.N. Brown  
Municipal Clerk

By-Law Adoption	
First Reading:	July 12, 2016
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# Community Event Emergency Response Planning

*A guide to help event and municipal emergency planners prepare for gathering events in Nova Scotian communities.*



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# INTRODUCTION

## Purpose of This Guide

The Nova Scotia Emergency Management Office worked with Nova Scotia's Association of Municipal Administrators to develop Community Event Emergency Response Planning. The guide is to assist emergency managers and event planners in communities across Nova Scotia. It incorporates tools and strategies to help municipalities with every stage – from concept through to completion of the event.

Recent events in Nova Scotia, throughout Canada, and around the world have heightened the need to provide event and emergency response planners with the tools and processes to plan and respond to potential risks during an event. The guide is not intended to replace existing municipal plans but rather to complement community event emergency response planning by

- identifying the need for a joint municipal/provincial/event planning group
- assessing risk prior to the event and linking mitigation efforts to plans to respond to emergencies or establishing hazard specific plans as identified
- establishing the linkages between the event and local community emergency managers

Best practices information was gathered from municipalities alongside Canadian federal and provincial government departments. The intent was to build a relevant guide that can be used and understood regardless of the event size, time, or place – by any municipality, event organizer, or venue operator.

## What Is Due Diligence?

It is the level of judgment, care, prudence, determination, and activity that a person would reasonably be expected to do under particular circumstances. As applied to an emergency program, due diligence means that all reasonable precautions are taken to address public safety risks, including during response to an emergency. This duty also applies to situations that are not addressed elsewhere in the occupational health and safety legislation.

Due diligence is important as a legal defence. If charged, a defendant – who could be YOU! – may be found not guilty if he or she can prove that due diligence was exercised. In other words, a defendant needs to prove that all precautions, reasonable under the circumstances, were taken to provide the necessary services and procedures in emergency response and recovery.

## DEFINITIONS

### **Consequence Management**

Actions taken for mitigation, preparedness, response and recovery with regard to emergencies, except human-induced intentional threats, and for response and recovery in respect of human-induced intentional acts

### **Disaster**

An event that results in serious harm to the safety, health, or welfare of people, or in widespread damage to property.

### **Emergency Response Action Plan (Emergency Response Plan / ERP, or Emergency Action Plan / EAP)**

A formal planning document that outlines roles, responsibilities, contacts, planned actions, and procedures to be followed in the event of a major emergency or disaster at an event (planned or unplanned).

### **Event Incident Response Team**

Consists of incident command, including, as required, command post staff of fire, police, medical agency representatives, event staff (ICS: Incident Commander, who may also act as Planning Section Chief; Operations Section Chief, responsible for ops and agency communications, Logistics Section Chief, responsible for resource requests and allocation), and command staff of information officer, safety officer, and liaison officer.

### **Hazard**

A potentially damaging physical event, phenomenon, or human activity that may result in loss of life, injury, property damage, social and economic disruption, or environmental degradation.

### **Incident Command System (ICS)**

A standardized on-site management system designed to enable effective and efficient incident management by integrating a combination of facilities, equipment, personnel, procedures, and communications operating within a common organizational structure.

### **Incident Commander (IC)**

A person who, once the position is activated, has authority for all emergency response operations within the venue. Could be the producer, event organizer, appointed First Responder, or other. This position can change as the incident expands or contracts.

### **Mass Gathering**

A congregation of people at an event or activity where there is potential to place exceptional demands on, or have impact on, the community and its services and resources. Such events can be pre-planned or spontaneous, attracting a relatively large number of people in a confined area (either indoor or outdoor).

### **Mitigation Strategy**

The Canadian Standards Association defines mitigation as “actions taken to reduce the risks and impacts posed by hazards.” The document provides examples of mitigation strategies, including adopting current building codes in development proposals; recognizing, removing, or reducing the potential consequences of the hazard; and reallocating resources to deal with these strategies. It is recommended that the event emergency planning group incorporate strategies such as up-to-date site plans, defined access and egress routes, mutual aid agreements, and multi-agency response coordination plans. Details are available in the CSA’s Z1600-08 document.

**Municipal Emergency Plan (MEP)**

The formal emergency response plan required by legislation of all local governments, which includes activation, notification, and roles and responsibilities.

**Risk**

A measure of the probability and severity of adverse effects that result from exposure to a hazard or hazards.

**Threat**

The presence of a hazard and an exposure pathway. Threats may be natural or human-induced, either accidental or intentional.

## OVERVIEW SUMMARY OF BEST PRACTICES

### Policy and Governance

- Every municipality should have guiding principles for the planning, implementation, management, and emergency response for all mass gatherings, including festivals and events.
- Accountability for the outcomes of the event should be clearly identified.
- An approval process for emergency response plans should be determined.
- Legal ramifications of risks and threats should be understood.

### Pre-planning Considerations

- Approval process for obtaining required permits and licences.
- Review of by-laws impacting the event.
- Know the audience demographics and plan for expected behaviour (e.g.; alcohol availability).
- Based on type of event, identify hazards, risks and threats and develop a mitigation plan for protection of life, property and the environment.
- Identification of roles and responsibilities of event organizers.
- To establish the organization, coordination procedures and response patterns in the provision of security services in support of responses to events. The plan focuses on the provision of security during the consequence management phase of managing events. It is not applicable to the provision of protective security during Major Events. Security is a major concern in planning responses to events. Experience has demonstrated that response and recovery efforts will be hindered and first responders, victims, property and, evidence put at risk if the event site is not secured.

### Emergency Response Plan

- Build a site map identifying areas of access and evacuation routes.
- Identify roles and responsibilities of event organizers and response personnel before, during and after an emergency or disaster.
- Determine an evacuation and sheltering plan including muster points in consideration of weather, risk and type of emergency.
- Determine incident Command and Control and how emergency responders will communicate.
- Have a medical and mass-casualty plan.
- Have a safety and security plan.
- Ensure monitoring of weather, news, social media and other factors.
- List emergency equipment available on site, and provide resource lists from mutual aid or supporting agencies.



## Communication Plan

- Ensure contact lists and numbers are readily available for all event organizers, as well as emergency coordination and first response personnel.
- Determine what public communication systems will be used and how emergency communications will be delivered to event attendees (including pre-scripted messaging to be delivered in the event of an emergency).
- Determine how and who will manage the media.
- The event plan should clearly identify the roles and responsibilities of event and municipal public information (media) staff, including: strategies on media releases, triggers to engage a media center and opportunities for event and municipal communications staff to work together to insure accurate and timely information flows.

## Exercising

- Practical discussion of event coordinators and coordination response personnel prior to the event will familiarize people with emergency response plans and identify operational gaps.

## GOVERNANCE

### Legislative Standards

The Province of Nova Scotia has an Emergency Management Act, which includes the following under section 10:

#### **Powers and duties of municipalities**

- 10 (1) Within one year after the coming into force of this Act, each municipality shall
- (a) subject to the approval of the Minister, establish and maintain a municipal emergency by-law;
  - (b) establish and maintain a municipal emergency management organization;
  - (c) appoint a coordinator of the municipal emergency management organization and prescribe the duties of the coordinator which shall include the preparation and coordination of emergency management plans for the municipality;
  - (d) appoint a committee consisting of members of the municipal council to advise it on the development of emergency management plans; and
  - (e) prepare and approve emergency management plans.
- (2) The municipality may
- (a) pay the reasonable expenses of members of the organization or members of the committee appointed pursuant to clause (b) or (d) of subsection (1);
  - (b) enter into agreements with and make payments to persons and organizations for the provision of services in the development and implementation of emergency management plans;
  - (c) enter into an arrangement or agreement with any other municipality respecting a common organization, plan or program;
  - (d) appropriate and expend sums approved by it for the purpose of this Section. 1990, c. 8, s. 10; 2005, c. 48, s. 6.

### Local By-laws and Standards

All pre-planned mass gatherings or special events must adhere to municipal by-laws and standards and ensure that all permits, licences and other approvals are obtained.

### Policy

Municipalities should consider developing a policy that officially supports special events in the community and which endorses the value and benefit in supporting community events. It should also demonstrate alignment to other significant municipal policies. The policy provides the framework for supporting mass gatherings in the community.

A policy provides a clear understanding of accountability, which will help identify roles and responsibilities for the municipality and community event organizers. It is also a guide for employees who are responsible for community events and who work with community organizations. It is recommended that policy include sections on:

- the purpose of hosting and supporting special events
- definitions designed for the particular municipality and that also align with industry standards

- definitions for municipal hosted events, community events, co-sponsored events, and subsidy requests
- guiding principles
- outcomes and benefits that support the value of community special events
- roles and responsibilities
- a management framework/process for approvals

## Standards Agreement

Based on policy, the municipality will want to have a legal agreement with event organizers that outlines indemnification, insurance obligations, agreement to comply with all by-laws, and requirements for ongoing communication of changes to scope and risk of the event. This is usually done by way of an application process.

## PLANNING PROCESS

Depending on the complexity of the event, planning may begin several weeks or months in advance. It is important that emergency response plans are considered and built concurrently with all other event planning. As decisions are being made related to the what, where, when, why, and how of the event, an on-going dialogue should include the hazards, risks, threats, mitigations, and contingencies that affect the safety and security of people, property, and the environment. A timeline should be added to the application process if one is in place for the municipality.

### Event Planning Team

It is critical that all pre-planned events have some sort of event planning team with some degree of experience, expertise, and training, the degree to which depends on the complexity of the event. Small community events may consist of a few people with some experience organizing community-based events. Larger events that may draw people from outside the municipality may have numerous levels of organizational structure and may require people with specific expertise. All plans should include local emergency response personnel from emergency management, police services, fire services, EHS, EMONS, and municipal staff.

### Approval Process

Every municipality should have an event application form that all event organizers complete and an approval process to ensure that all services that may be called upon to assist or respond are aware of the event details. The application form requires the event organizers to develop and document more detailed information about their event including how they will manage security and what they will do in the event of an emergency. The following are examples of what could be included:

- site and route maps, including access and egress
- command and control structure and activation
- communications procedures during the event and for emergencies, including media management
- contingency plans for weather
- evacuation and shelter-in-place plans
- transportation and parking plans
- medical and lost person procedures

### Roles and Responsibilities

Event team members, municipal staff, and emergency management and response personnel need a clear understanding of their roles and responsibilities both during the normal course of an event and in response to an on-site incident.

## Planning Considerations and Contingencies

Listed below are some of the key planning considerations for mass gatherings that will support an emergency response plan.

### Infectious Disease Planning

During periods of infectious disease outbreaks or pandemic concerns, serious consideration must be given to health risks. Organizers should work in close collaboration with local public health officials and emergency management personnel to assist with risk assessment and mitigation for large events.

### Medical Services

On the site of an event it will be important to consider the many options you have to provide medical and first aid services. Consultation with Emergency Health Service (EHS) providers will help organizers determine the appropriate on-site medical service delivery options. Organizers should consult their local EHS support staff to ensure that routes for ambulances will meet everyone's needs if there is a medical emergency.

Volunteer organizations such as the Red Cross and St. John Ambulance may be willing to attend and provide first aid care to people who become injured or ill at an event. However, EHS should be involved with any medical plans.

### Transportation

In many cases, traffic flow and parking entrances and exits are clearly established and have adequate and proper signage. However, traffic and parking control may be a factor at any event where flow patterns are not established,

causing congestion and negative impacts on the surrounding community. In the event of a mass evacuation, transportation corridors must be kept clear, traffic patterns must flow quickly from an event venue, and evacuations from parking lots must be kept orderly and non-aggressive. Speak to the venue owners/operators to find out if they have contingency plans for large numbers of people leaving a site, and ensure there is adequate parking and traffic signage so people are clear about exit routes. Public transportation must also provide quick and easy access to and from the venue. It would also be beneficial to have a contact in public transit or contracted transportation services to ensure availability of additional transportation resources if required. The Nova Scotia Department of Transportation, Infrastructure and Renewal, and the local public works or traffic authority should be consulted to approve transportation plans.

### Lost Persons Services

Identify a lost persons station and ensure that participants are aware of the location. The loss of a child can cause panic, which can be dispelled quickly if loved ones know where to go to retrieve a child or get help locating a child. This service should also be able to communicate to key personnel throughout the venue to be on the look-out for a lost child, further reducing panic for parents and improving the chances that the child will be found quickly and without incident.

## EMERGENCY RESPONSE PLANNING

### Hazard Identification and Risk Assessment

Potential hazards must be taken into consideration when developing an event emergency response plan. When completing the Hazard Vulnerability and Risk Assessment, it is important to remember that mass gatherings are by definition a congregation of people at an event or activity, generally a high concentration of the local and visiting population in a limited area of the community. Therefore, consideration should be given to the capacity of response agencies to respond to events affecting the population at the site and the concurrent events in the rest of the community. To ensure capacity to respond, planners should look at resource availability and event requirements, maintaining that capacity through mutual aid or contract services as required.

When determining the Hazard Vulnerability and Risk Assessment (HVRA) for the event, the planning team needs to analyze both the municipal HVRA and the event to identify potential hazards to both the event and community, and their probability of occurrence.

### Event Complexity

Events can be classified into different complexities, which helps identify the level of risk expected. Community-based family events are unlikely to create disturbances leading to an emergency or crisis situation, whereas some music events could cause a different situation. To evaluate the level of risk for event type, several factors must be considered including:

- age and type of groupings (families, youth, seniors, etc.)
- potential criminal activity
- alcohol either sold at, or at risk of being brought into, the event

### Location/Venue

Events can be held indoors or outdoors, each of which can present challenges. An evaluation of the venue must consider how to best protect the health and safety of participants and staff in the event of emergency.

### Crowds

Crowds are defined by the physical structure and common purpose by which people come together. They bring a set of emotions to an event and are therefore complex social structures that can be analyzed and categorized.

Crowds that gather on behalf of a grievance or conflict, including sports events, can involve herding behaviour that turns violent. When a crisis occurs, the individuals and small family or friendship units that make up a crowd can become panicked or crazed, possibly causing them to want to “escape” or “fight.” A mass of individual people may now have the following characteristics:

- Individuals attempt to move faster than normal.
- Interactions between individuals become physical.
- Exits become arched and clogged.
- Escape is slowed by fallen individuals serving as obstacles.

- Individuals display a tendency toward mass or copied behaviour.
- Alternative or less-used exits are overlooked.

### Safety Code Considerations

Organizers need to consider what performance facilities and special structures are needed and consider the provincial safety-codes system when the infrastructure (temporary or permanent) is being put in place at the site of a mass-gathering event. Since the usage of many of the structures and places may be temporary it may not be obvious that the safety codes, acts, and related regulations contain requirements to protect our safety. In some cases permits for the construction of these structures are required. The requirement for permits is largely in place to insure the involvement of a building inspector. The building inspector will determine if things like load bearing capacities, occupant loads, evacuation or egress routes, fire and emergency plans, barrier free access, sanitation facilities and access for emergency vehicles have been addressed. Permits may be obtained through a municipal building inspector, The Provincial Office of The Fire Marshal or NS Department of Labour and Advanced Education

Examples of temporary structures that may be regulated by the Safety Codes Act include:

- stages or overhead structures that are used in conjunction with the stage
- pools / hot tubs
- temporary gas and electrical systems
- mobile concessions (including fuel, electrical, and fire-protection systems)
- amusement rides
- enclosures, including fences around events where access is restricted for various reasons, such as the requirement for admission to be paid, sale of liquor, or safety of event participants and staff.

Existing permanent structures may require a permit if the use or occupancy of the building is going to change as a result of the event. An example of this could be the use of an arena for an event where the ice surface is used for seating for a performance, social event (licensed or otherwise), ceremony, or meeting. Even if a permit is not required, changing the location of most of the occupants, or increasing the number of occupants in non-planned locations, likely requires additional planning for proper and safe exiting, additional washrooms, etc., and potentially having to remove or modify arena glass, boards, etc.

Other activities likely to require a permit and/or the involvement of a safety-codes professional would include displays of pyrotechnics, or fireworks. These usually require the approval of the fire department or a fire-safety-codes professional.

In all instances, it is suggested that, unless a facility is purpose-built for the mass-gathering events anticipated (such as an amusement park), some change in the type, scope, or volume of usage will result in a need to evaluate any building, structure, or place used temporarily for such purposes. Evaluation should focus on the following:

### Activities

- What activities are expected to take place?
- Do those activities involve any specific or general risks to the participants or spectators (e.g., flame effects, animals, motorized equipment, extreme noise, light or heat, hot work)?
- Does the setup, maintenance, or take-down of equipment for the event pose any specific or general risks (e.g., use of forklifts, cranes; installation of temporary electrical power; refuelling of generators, engines, propane tanks)?
- Is there liquor service, food service, dancing, etc.?
- Is there preparation of food (or other products) on site?
- Does the event bring into an indoor space equipment normally designed for and found outdoors?

### Audience/Participants

- What ages (or range of ages) are likely to attend?
- Is there any process to limit numbers of attendees/participants (ticket purchase, etc.)?
- Are there different locations/facilities/equipment at the event location that will be used by different age groups?
- Are there identifiable portions of the

attendees who could have trouble taking actions for self-preservation, with or without directions? This could include children, those with physical or cognitive challenges, and persons with service animals.

- Will any parts of the event involve participation of, or attendance by, people who might be considered VIPs?

### Facilities/Buildings/Equipment

- Is the event taking place in a facility normally used for assembly-type purposes?
- Is the event similar to the activities that normally take place within the venue?
- Does the event involve placement or erection of temporary equipment or structures?
- Have occupant loads been determined in terms of the Building Code, Fire Code, and possibly the Liquor Control Act by the appropriate authorities?
- If any of the event takes place outdoors, are there provisions, in case of inclement weather or emergency, for the potential movement of people into buildings, which may already be occupied?
- Are the facilities, buildings, structures, places, or equipment compliant with the applicable codes, standards, regulations, and permits under provincial Legislation?

By answering these questions and taking appropriate measures, the owners, operators, and regulators will have conducted much of the risk analysis that should be expected at mass-gathering events.

Organizers should contact the local municipality, including the fire department and those who deal with building, electrical, and gas permits, well in advance of the event to ensure that all regulatory matters have been identified and addressed. Participation of these groups in the planning of events has repeatedly proved to be of value, reduces potential for conflict at the last moment, and improves any required emergency response.



## **Safety and Security**

Organizers must ensure that a safe and secure environment is provided for everyone, from the general public to performers and workers. Potential problems and concerns must be anticipated and mitigated. Where a potential problem cannot be fully mitigated, emergency plans must be developed and communicated so that response to an incident is efficient and effective. Organizers should inform the local police service about potential problems and consult with them about the best ways to handle safety and security. For larger and higher-risk events, the best option is to hire an approved security company that has personnel already trained and knowledgeable in providing safe and secure environments.

## **Controversial Events and Criminal Activity**

Any potential for criminal activity at an event or protesters should be anticipated. To ensure adequate security, police or other security personnel need to be involved in the planning process. Any emergency response actions must be undertaken separately from response to criminal activity. The security team should know how to work with police and how to protect evidence at a crime scene. It is advantageous to meet with protest group leaders in advance and to include them in developing plans to minimize injury and conflict.

## **Command and Control**

The Canadian Incident Command System (ICS) is being adapted by most organizations across the province and country. This system works well for large and small responses whenever multiple agencies are involved in response, such as police, fire, EHS, municipal staff, utility companies, transportation, and social services.

In advance of the mass gathering, the type of command and control structure to be used in the event of a serious incident or disaster should be the Canadian Incident Command System (ICS Canada). Even for small community events, there must be someone “in charge,” making the critical decisions during an incident response. Key personnel and their roles must be identified for all sizes of events.

In large-scale events, people can become confused about who is in charge and what roles and responsibilities all of the various agencies play during normal operations and during different phases of an emergency. Unless there is some structure for the key agencies to work together to coordinate an effective response, there can also be confusion in communications. Disorganization can become compounded if multiple incidents occur at the same time.

## **Emergency Communications**

### **Notifications/Activation/Contact Lists**

Develop an event notification chart. A notification chart is a diagram of the hierarchy for notification in an emergency, including who is to be notified, by whom, and in what priority. How and when to use the contact lists also needs to be clarified.

Notification procedures should be developed to ensure the timely notification of persons responsible for taking emergency actions. The procedures for this group of people should be brief, simple, and easy to implement. How notification will be given also must be determined. Phone calls, emails, or radio

notification can be used, depending on the size of the event and the number of people that need to be contacted in a given period of time.

### **Interoperable Communication Systems**

Communications systems between event organizers, security, and emergency response personnel should be interoperable so that during an incident or disaster all parties are able to communicate efficiently and effectively.

A central communications area for large gatherings, adjacent to or part of the command post area, should be considered for higher-risk events. Communications systems can include portable radios, telephones, cellular telephones, and public address systems. Because a single system can fail, communication facilities should be multi-modal, and each system should have its own backup power source.

### **Public Communications**

A means of communicating with the public at a mass gathering is essential. For small events, in small or confined indoor spaces, a public address system (megaphone or microphone) may be all that is needed. For larger events spread over a wide area, there may be a need to establish multiple communications systems so that messages can be delivered to different sections of a crowd or to different indoor or outdoor facilities. Some consideration should also be given to extending the ability to communicate just beyond the controlled venue boundaries and into the surrounding area.

### **Event Emergency Warning System**

Some means to inform people of an emergency or dangerous weather condition should be in place for every size of event. This emergency warning system must be able to operate without benefit of the main power source and must be operational at all times. All emergency communications must be authorized through one person – typically the Incident Commander – to avoid mixed messages and rumours that could move a crowd to panic. Part of the planning process should be to draft pre-scripted messages that can be revised quickly.

## WEATHER MONITORING FOR MASS GATHERINGS

Weather can have a significant impact on any mass-gathering event. Weather planning and weather safety preparedness can go a long way to minimize or mitigate the impacts of weather-related events. Some weather threats can be avoided or greatly minimized by carefully considering and choosing times and locations for events.

Weather conditions and forecasts must be attentively monitored from pre-event facility setup right through to post-event take-down. Event organizers may also have to consider potential off-site responsibilities. A sudden change in the weather such as a severe storm could present a direct danger to people or damage to facilities and equipment.

Well before the mass-gathering event, potential weather elements should be fully analyzed for probability, potential impact, and event-specific critical thresholds. Mitigation plans must be developed and the emergency plans must be well known by event staff. Even weather events that do not meet the criteria for an Environment Canada Weather Warning may require emergency or other event mitigation plans.

Weather forecasting and weather monitoring services involve a number of choices. Multiple means of weather monitoring are strongly encouraged. Whether you choose Environment Canada as a reference source for weather information or services from other providers, weather forecasts and observations must be properly interpreted. Event organizers should consider specialized weather information, location-specific weather forecasts, and on-site weather observations.

As with any emergency plan, effective communication is extremely important. Be sure to consider the needs of people with language, health, or mobility issues that might affect their ability to access, understand, or follow safety guidelines or emergency procedures.

## Shelter-in-place and Evacuation Planning

The event planning team should consider both evacuation and shelter-in-place strategies when developing an event emergency response plan. The planning team can work toward a strategy that will ensure the health and safety of event responders, participants, attendees, and employees. Any strategies developed should complement and support the municipal emergency plan. Considerations include the following:

- Who will make the decision to evacuate or shelter in place?
- How will that decision be communicated and to whom?
- Who will lead the evacuation / shelter-in-place efforts (i.e., event security)?
- Have the evacuation / shelter-in-place requirements of persons with special needs been addressed?
- Have clear, concise public messages been prepared based on the probability of occurrence identified in the local hazard vulnerability and risk analysis?
- Will all paid and volunteer staff be trained and aware of their roles and responsibilities during an evacuation / shelter-in-place?

## Shelter in Place

Considerations include the following:

- Can the venue facilities accommodate a shelter-in-place strategy? A building may be adequate shelter during a severe weather event but not during a hazardous materials event, or vice versa.
- Have building staff been trained in their duties (e.g., managing building ventilation systems) during a shelter-in-place event?
- Are suitable shelter-in-place structures identified on the site plan?

## Evacuation

Considerations include the following:

- Can site infrastructure accommodate a timely evacuation of all attendees?
- What are the event traffic-control and management strategies?
- Will additional transportation resources (buses, etc.) be required? Who will be the lead on additional transportation equipment? Have resource lists been developed?
- Will patrons and staff be evacuated from the site or evacuated to a structure on site?
- Will the local authority's emergency social services staff be involved?
- Are evacuation routes clearly identified and marked on the site plan?

## Site Map/Plan

As part of the planning and permitting process there should be a site map or plan provided for each event/venue. Site plans, route maps, and supporting diagrams and drawings should be submitted in both electronic and paper formats. Plans and maps should include but not be limited to:

- north direction
- direction of travel – if event is a parade, race, walk, etc.
- names of adjacent avenues, streets, and roads
- emergency access routes
- access and egress routes clearly labelled with numbers/letters consistent with those on the gates
- location of temporary and permanent fencing, barriers, or barricades set up for the event
- parking facilities
- generators and other electrical sources
- fuel storage (if required for the event)
- temporary and fixed event facilities, including stages, seating (bleachers and grandstand), bridges, platforms, trailers, tents, amusement rides, and vendor sites
- staging and holding areas
- location of vendor sites with cooking activities that may involve flammable gases or open flames
- location of first aid facilities
- layout of permanent or temporary camping facilities if provided as part of the event

## Mass-Casualty Event

A mass-casualty event may by its very nature involve multiple response agencies to support treatment and transport of persons from the scene. It is essential that the planning team include Emergency Health Services in the planning process to ensure:

- that health-care facilities and EHS staff are aware of the event for logistical purposes, including dates/times of the event
- seamless transfer of patients from event medical staff (if not provided by EHS) to EHS
- that communications and command structures are defined prior to an incident
- that access/egress and staging/triage areas are established prior to an incident
- the development of a Medical Site Management Plan

## DEBRIEFING AND CORRECTIVE ACTION PLANS

All emergencies, particularly those requiring municipal coordination procedures, offer operational and resource challenges. Some of these challenges may not have been considered or known before the event. Debriefing after the event provides an opportunity to capture those experiences and learn from them. This review can provide insight to assessing and continuously improving procedures, resources, and functions.

### Risk

Those involved in municipal emergency management operations during a real event can provide very valuable information for improving existing procedures or functions. In reality, very few of these valuable insights are captured and applied, as good intentions to debrief with all agencies are often not included in procedures. To capture lessons learned after every emergency requiring the activation of the Event Emergency Response Plan or exercise, it is recommended that “Lessons Learned” procedures be included in the Event Emergency Response Plan. This debriefing procedure should outline when the general (all agencies present) debriefing is done, who participates, and how to follow up on recommendations resulting from the debriefing. The procedure should also require or encourage every participating agency to do an additional internal agency review of the event response and to document the debriefing, recommendations, and follow-up.

### Recommended Policy

To ensure that all participating agencies review the overall event response whenever the plan is activated, a debriefing procedure shall be included in the emergency plan, requiring a debriefing meeting of all agencies involved, soon after the emergency is concluded. The meeting shall be recorded, lessons learned documented, and follow-up recommendations reported to the planning committee. The procedure shall also require municipal agencies involved in the event response to do a formal internal agency debriefing and to document agency recommendations and follow-up.

**SAMPLE WORKSHEETS**  
**Event Information**

**Event Type:**

- Special Event
- Festival
- Run/Walk
- Sports Rally

**Date/Time/Duration:**

---

**Event Venue:**

- Park \_\_\_\_\_
- Roadway \_\_\_\_\_ (attach route)
- Plaza \_\_\_\_\_
- Building \_\_\_\_\_

**Event Activities:**

ACTIVITY	TEMPORARY STRUCTURES	SPECIFICS

## SAMPLE WORKSHEETS

# Risk Analysis

RISK FACTOR	1 LOW	2 MEDIUM	3 HIGH	4 EXTREME	SCORE
<b>EVENT and ACTIVITY INFORMATION</b>					
Type	Planned Events • Community and family based	Planned Events • Sporting Events • Runs/Walks • Concerts	Planned Events • Rallies • Demonstrations • Protests	Unplanned Events Any spontaneous event	
Duration	Up to 3 hours	Up to 10 hours	Up to 24 hours	Over 24 hrs. Unknown	
Infrastructure and Equipment	No structures low to the ground such as tables, chairs	Soft structures such as small or moderate-sized tents	Hard structures such as stages Tall structures Heavy structures Power cables and electrical equipment	Uncontrolled or non-permitted structures and equipment	
Alcohol	None	Confined Controlled Limited access	Uncontrolled Unconfined Moderate to high use	Excessive use Uncontrolled Unconfined Movement through public areas	
Criminal Activity	None expected	Potential by-law infractions	Criminal acts Minor property damage Potential assaults	Life/safety issues Excessive property damage	
<b>ORGANIZATION AND PLANNING</b>					
Organizers	Well-organized Compliant Experienced	New group May be in-experienced	History of unco-operative behaviour Non-payment	Defiant Violent	
Event History	No problems No police interventions	Minor incidents Minimal police interventions	Major incidents Arrests, charges Some impact on city systems	Critical upset to city systems History of violence	
Event Planning	Maximum preparation time	Limited preparation plans	Minimal preparation time	No preparation time	
Security	None needed Trained Paid Sufficient	Needed but limited training Volunteers Insufficient	Needed but no training Insufficient numbers	No security	



## SAMPLE WORKSHEETS

# Risk Analysis

<b>RISK FACTOR</b>	<b>1</b> LOW	<b>2</b> MEDIUM	<b>3</b> HIGH	<b>4</b> EXTREME	<b>SCORE</b>
	numbers	numbers			
Emergency response planning	Have emergency response plans including medical, security, evacuation, communications	Adequate emergency response plans	Inadequate emergency response plans	No emergency response plans	
<b>VENUE</b>					
Type	Parks and public spaces that are non-confined	Buildings or parks with controlled or confined access (plazas, theatres)	Buildings with uncontrolled access	Streets	
Route Safety	Paths and sidewalks No police assistance needed	Planned street route with some traffic control and signage	Un-escorted Un-marked with no police or safety controls	Varied route Unplanned Uncontrolled Interacts with other users	
<b>CROWD ASSESSMENT</b>					
Crowd Type	Family Corporate Business	Young adults Persons of interest			
Crowd Size and capacity	Small size High capacity venue for size of crowd	Moderate numbers Up to maximum capacity of venue	Large numbers Exceeds capacity	Critical density Uncontrolled venue	
Crowd Dynamics	Calm Co-operative Peaceful	Celebratory	Anxious Aggressive	Violent	

**SAMPLE WORKSHEETS**  
**Event Contact List**

AGENCY	CONTACT PERSON	TITLE	CELLULAR	RADIO
EVENT ORGANIZER				
EMERGENCY CONTACT				
DIRECTOR				
DIRECTOR				
DIRECTOR				
EVENT STAFF				
SECURITY				
ADMISSIONS				
FIRST AID				
COMMUNICATIONS				
FOOD SERVICES				
VENUE MANAGER				
GATES				
MUNICIPAL RESPONDERS				
POLICE				
FIRE				
EHS				
EMERGENCY MANAGEMENT				
PUBLIC WORKS				
PUBLIC INFORMATION				

**SAMPLE WORKSHEETS**

## Typical Events Requiring an Emergency Response Plan

EVENT	NUMBER OF PEOPLE	DATE(S)	CONTACT

## **APPENDIX: MEDICAL AND HEALTH-RELATED CONSIDERATIONS**

The Nova Scotia health system, through local district health authorities (DHAs), the IWK, Emergency Health Services (EHS) and the Department of Health and Wellness (DHW) works with communities, event organizers and stakeholders to ensure safe and successful events. Planning factors to be considered include:

- Numbers and demographics of anticipated spectators, participants and volunteers
- Nature and type of event
- Location and size of the venue
- Duration of the event; hours or days
- Seasonal/weather and other environmental factors
- Available health resources in the surrounding community
- Disaster and evacuation requirements for the site

The process of medical planning ensures both that the event site is safe and that the event does not compromise the health system capacity for the greater community.

### **9-1-1**

Municipalities and event organizers are reminded that 9-1-1 remains the only method for accessing emergency medical services, even if EHS and/or primary health care facilities staffed with physicians and/or other health care providers are on site.

### **8-1-1**

The Nova Scotia Healthlink 8-1-1 system provides access to non-emergency health information and services. If you are hearing-impaired and would like to access this service, call 7-1-1 (TTY).

When telephoning 8-1-1, a registered nurse will provide advice and information concerning all kinds of general health issues and questions. Advice and information may include a recommendation to see your doctor or a visit to a local emergency department. You can also obtain information about health issues and services available in the community.

The 8-1-1 program can provide services in French and many other languages. Services in other languages are offered through a third party interpretation service and include, but are not limited to, Arabic, Farsi, and Cantonese.

The 8-1-1 service is provided at no cost to the caller. Municipalities and event organizers are encouraged to include the 8-1-1 service information in the event materials. It is also recommended 8-1-1 be informed by telephoning 902-237-6912 when events are occurring in communities.

### **Public Health**

Public Health is responsible to control the transmission of communicable diseases, promote health and identify and mitigate risks to health by physical, chemical or biological hazards. Public Health professionals can provide expertise that ensures participants enjoy a successful event by preventing

disease and injury and protecting the health of participants and the community.

Public Health may wish to work with community and event organizers to assess the risks posed by the events, participants, venues, supportive infrastructure and other community factors that may influence the health of participants such as influenza activity or other communicable diseases. This may include disease surveillance before, during and after the event, establishment of preventive measures, educational materials, air and water quality assessments and general sanitation guidance.

Municipalities and organizers are encouraged to contact their local public health office listed at [www.gov.ns.ca/dhw/about/phs-offices.asp](http://www.gov.ns.ca/dhw/about/phs-offices.asp).

## **Emergency Health Services**

EHS paramedics, collaborating with police, fire and other stakeholders provide a valuable service to support a successful event. Paramedics will work with your event planning committee to review the size and complexity of your event to help determine the type of pre-hospital medical coverage that should be in place.

Depending on the identified risks, simply having first aid on site may not be in the best interest of the event planners or participants. EHS paramedics will help you define the right combination of paramedics, ambulances and other on-site medical resources. There is no charge for EHS paramedics to work with you in the planning for medical coverage for your event. If on-site resources are required for the event, e.g. paramedics, equipment and vehicles, the cost is the responsibility of the event organizers. Event organizers will only be billed on a cost recovery basis for EHS services.

Please contact the EHS special events team early in your planning to ensure availability of medical resources for your event.

Emergency Health Services

Phone: (902) 407-4894

Fax: (902) 832-8333

e-mail: [specialevents@emci.ca](mailto:specialevents@emci.ca)

## **Hospitals**

The DHAs and IWK will collaborate with municipalities and event organizers to ensure the appropriate level of resources are available at hospitals to support your event. In some cases, it may be appropriate to have on-site emergency and/or primary health care facilities staffed with physicians and/or other health care providers.

The DHA / IWK Emergency Planner, in collaboration with Public Health and EHS, will work with the event planning committee to develop the medical plan. The DHA/IWK Emergency Planner can be contacted through the local DHA / IWK switchboard. [www.gov.ns.ca/dhw/about/DHA.asp](http://www.gov.ns.ca/dhw/about/DHA.asp). Contact information for individual hospitals can be found at [www.gov.ns.ca/dhw/about/hospitals.asp](http://www.gov.ns.ca/dhw/about/hospitals.asp)

## **Food Safety**

Anyone in Nova Scotia who wants to operate a foodservice facility such as: restaurant, food take-out, mobile canteen, temporary food establishment, or a grocery store or push carts or any facility

from which foods are sold, whether on a permanent basis or only occasionally must apply for a Food Establishment Permit.

A Temporary Event Permit is required for the sale of foods at temporary events, fairs and festivals as defined in the Nova Scotia Food Safety Regulations. It is required for a booth or other structure operated for fourteen consecutive days or less per year and also includes food booths set up by community organizations to raise funds.

Note: Not for profit (recognized charity) does not require a fee.

For additional information regarding these and more permits or policies, visit the department's web site at [www.gov.ns.ca/snsmr/paal/agric/paal006.asp](http://www.gov.ns.ca/snsmr/paal/agric/paal006.asp)

It also falls under the mandate of the Food and Safety Division to ensure that an adequate number of washrooms are on site at an outdoor event. The chart below can serve as a guideline in determining the number of portable toilets the event should have on site. If the event is serving food and/or beverages (especially alcohol), ordering additional restrooms should be considered. The Food and Safety Division can also assist in determining the number of toilets necessary for the event.

For further assistance, contact the Food Safety Division at

Nova Scotia Department of Agriculture  
Agriculture and Food Protection Division  
PO Box 550  
Truro, NS  
B2N 2P3

Phone: (902) 424-1173 Food Safety Section  
Fax: (902) 424-3948

## APPLICATION FOR SPECIAL EVENT (S)

PLEASE PRINT

(1) DATE OF EVENT: \_\_\_\_\_

(2) **APPLICANT INFORMATION**

(a) Applicant(s) (promoter) Name \_\_\_\_\_

(b) Drivers License No. and Birthdate \_\_\_\_\_

(c) Address: \_\_\_\_\_

City: \_\_\_\_\_ Postal Code: \_\_\_\_\_

(d) Telephone No. Business: \_\_\_\_\_ Residence: \_\_\_\_\_

(e) Applicant (promoter) Business License No. \_\_\_\_\_

(f) If incorporated: Date of Incorporation: \_\_\_\_\_

Incorporation No. \_\_\_\_\_

Directors Names: \_\_\_\_\_

(g) Names & contact numbers (cellular, direct lines and/or pagers) of persons who will be on site at the event and who will have direct authority and responsibility: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(h) Please list below the names and Business License Numbers of any companies or individuals that will be selling merchandise at the event (i.e. water, food, jewelry, etc) \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(3) **EVENT INFORMATION**

(a) Address of Proposed Event: \_\_\_\_\_

(b) Will alcohol be served at the event? Yes ☐ No ☐

(c) Will minors be admitted (18 and under) Yes ☐ No ☐

(d) Age group of expected attendees \_\_\_\_\_

(e) Proposed hours of operation \_\_\_\_\_

(f) Proposed patron capacity: \_\_\_\_\_ Fire Capacity: \_\_\_\_\_

(g) Type of entertainment: \_\_\_\_\_

(h) Describe the transportation options to and from the event (i.e. public transit, taxi-cab, etc)

(i) Describe automobile parking arrangements for your event patrons (i.e. number & location)

(j) Security Company Name & Business License No: \_\_\_\_\_

(k) Is the Security Company insured for late night events? Yes ☐ No ☐

(l) Have you budgeted for the cost of the additional policing presence during the event?

Yes ☐ No ☐ If YES, how many officers have you budgeted for? \_\_\_\_\_

(m) Type of food and beverages available at event: \_\_\_\_\_

#### (4) REQUIRED ATTACHMENTS

(a) Have you attached two copies of the complete proposal? Yes ☐ No ☐

(b) Have you organized a Special Event before? Yes ☐ No ☐

If YES, when & where? \_\_\_\_\_

(c) At these events, were there incidents that required police or emergency services to attend?

Yes ☐ No ☐

(d) A non-refundable processing application fee of \_\_\_\_\_ is attached to this application. *(This fee is waived for non-profit and charitable organizations)*

(e) A letter from the facility owner indicating their approval of the event is attached to this application.

(f) Two copies of the complete security/operational plan that meets industry standards are attached to this application form which include:

- Provisions and details on first aid, security, entrance and line control and post neighbourhood clean-up measures

#### (5) PROMOTER COMMITMENTS

I / We agree to the following:

☐ Ensuring that potable water will be available to all participants.

☐ To cover the costs of additional policing, as proposed, presented and recommended by the Police Agency. (Payment for additional police officers will NOT be accepted in-lieu of security personnel). Payment for the additional police officers is due prior to issuance of the Permit.

☐ To provide space at the event for community based drug and health awareness displays.

☐ To accept full responsibility for dealing with ticket holders in the event that a permit is not approved by the Town XXXX.

**NOTE:** The application must be received by the EMO Coordinator for the Town of XXXXX and application info immediately relayed to the Police Department, XXXXX Fire Department and CAO.

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Applicant's Signature & Print

---

Date



## OFFICE USE ONLY

<p style="text-align: center;"><b>PLANNING DEPARTMENT</b></p> <p>Is the proposed location suitable?      Yes <input type="checkbox"/>      No <input type="checkbox"/></p> <p>Are residential uses in close proximity?      Yes <input type="checkbox"/>      No <input type="checkbox"/></p> <p>Do you approve of the event?      Yes <input type="checkbox"/>      No <input type="checkbox"/></p> <p>Comments/Conditions: _____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>Dir. of Planning _____</p>	<p style="text-align: center;"><b>FIRE DEPARTMENT</b></p> <p>Maximum Fire Capacity: _____</p> <p>Plans Submitted/Approved?      Yes <input type="checkbox"/>      No <input type="checkbox"/></p> <p>Do you approve of the event?      Yes <input type="checkbox"/>      No <input type="checkbox"/></p> <p>Comments/Conditions: _____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>Fire Chief _____</p>
<p style="text-align: center;"><b>EMO DEPARTMENT</b></p> <p>Operational Plan Submitted/Approved?      Yes <input type="checkbox"/>      No <input type="checkbox"/></p> <p>Do you approve the event?      Yes <input type="checkbox"/>      No <input type="checkbox"/></p> <p>Comments/Conditions: _____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>EMO Coordinator _____</p>	<p style="text-align: center;"><b>POLICE DEPARTMENT</b></p> <p>Security Plan Submitted/Approved?      Yes <input type="checkbox"/>      No <input type="checkbox"/></p> <p>Do you approve of the event?      Yes <input type="checkbox"/>      No <input type="checkbox"/></p> <p>Comments/Conditions: _____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>S/Sgt _____</p>
<p style="text-align: center;"><b>PUBLIC WORKS DEPARTMENT</b></p> <p>Operational Plan Submitted/Approved?      Yes <input type="checkbox"/>      No <input type="checkbox"/></p> <p>Do you approve the event?      Yes <input type="checkbox"/>      No <input type="checkbox"/></p> <p>Comments/Conditions: _____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>Dir. of Public Works _____</p>	<p style="text-align: center;"><b>ADDITIONAL COMMENTS</b></p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>

**PERMITS & LICENSES**

Fees Paid:      Yes ☐      No ☐      If no, Reason \_\_\_\_\_

Approved:      Yes ☐      No ☐      (Must also be approved & signed off by EMO prior to final approval)

If YES, Permit/License No. \_\_\_\_\_

If NO, Reason(s): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Approving Authority Signature ( \_\_\_\_\_ )

## Special Event Bylaw (Sample)

### AUTHORITY

Section 172 (1) (a-c) and (d) (iii-vi) of the *Nova Scotia Municipal Government Act (MGA)* provides municipalities with the power to make bylaws, for municipal purposes, respecting the health, well-being, safety and protection of persons; the safety and protection of property; and respecting nuisances, activities and things that, in the opinion of council, may be or may cause nuisances, including noise, as well as prescribing the hours during which certain noises, or all noise above a certain level, specified in the bylaw is prohibited, authorizing the granting of exemptions in such cases as the bylaw provides, and providing that it is an offence to engage in any activity that unreasonably disturb the peace and tranquility of a neighborhood.

Section 10A of the *Emergency Management Act*- Chapter 8 of the Acts of 1990, amended 2005, c. 48, ss. 1-6; 2007, c. 10, s. 2; 2009, c. 12- An Act to provide for a Prompt and co-ordinated response to a state of Emergency, states that “*Every municipality shall, immediately upon becoming aware of it, inform the Emergency Management Office of any real or anticipated event or emergency that could impact the health, safety or welfare of Nova Scotians, their property or the environment.* 2009, c. 12, s. 3.

### INTERPRETATION

41.01 In this Bylaw, unless the context otherwise requires:

- a) “Coordinator” means the REMO Coordinator for the Town of \_\_\_\_
- b) “Large” means five hundred (500) or more;
- c) “Special Event” means any event where a large number of people (five hundred or more) are brought together to watch or participate in a commercial dance or other entertainment performance or other event where;
  - (i) the, performance or event is held for the purpose of providing entertainment, whether such entertainment is free or for profit or gain;
  - (ii) tickets maybe be provided or sold and / or an entrance or attendance fee is charged for persons to attend; and
  - (iii) music, noise or sound of any kind or source, including but not limited to amplified, recorded or computer generated music, amplified recorded or computer generated sounds, live music, sound or band music is performed or played.
- d) “Promoter” means the person/organization who has the financial responsibility for the special event including contracting with

- entertainers, security firm, overtime policing costs, renting the facility, advertising the special event, and collecting gate receipts;
- e) “REMO” means Regional Emergency Management Organization;
- f) “Town” means the town of \_\_\_\_\_.

## GENERAL PROHIBITION

- 41.03**
- (1) Event Permit Application Procedure
    - (a) A **promoter** wishing to organize or hold a **special event** must complete an event application provided by the **Town** for that purpose.
    - (b) The event application specified in subsection (a), must;
      - (i) be signed by the **promoter**;
      - (ii) be presented to the **Coordinator** at least forty-five (45) days prior to the event; and,
      - (iii) be accompanied by an application fee of \$100.
  - (2) Event Permit Requirements
    - (a) The Town will only issue a special event permit for events where:
      - (i) Premises continue to meet all relevant fire, safety, and health regulations/codes;
      - (ii) a payment is made to the **Town** prior to the issuance of the event permit for additional policing services on the basis of such a presented by the RCMP (based up to the maximum capacity of the facility, and as established in the event application);
      - (iii) there is adequate traffic control and security plan in place for the **special event** which includes provisions for:
        - (a) first aid;
        - (b) Entrance control to deter alcohol or illicit drugs being brought to the premises during the special event;
        - (c) Outside inspection and clean up in the vicinity of the premises during and after the event;
        - (d) The employment of a security firm licensed by the Government of Nova Scotia;
        - (e) Traffic control for safe traffic and pedestrian flow.
      - (iv) There is provision for an adequate supply of potable water to those in attendance.

## SEVERABILITY AND CITATION

- 41.04 (1) Any person who fails to comply with the provisions of this Bylaw for which no penalty is expressly provided shall be liable on conviction to a penalty of not less than Two Thousand Dollars (\$2,000.00) and not more than Ten Thousand Dollars (\$10,000.00), and in default of payment, to imprisonment for a term not exceeding two (2) months.
- (2) If any part, section, subsection, clause, or sub clause of this bylaw is, for any reason, held to be invalid by the decision of a court of competent jurisdiction, such decision does not affect the validity of the remaining portions of this bylaw.
- (3) This bylaw is cited as the "Special Event Bylaw # \_\_\_\_"

This Bylaw is effective upon publication.

### Clerks Annotation (Office Use Only)

Date of first reading:  
Dates of advertisement of Notice of Intent to Consider:  
Date of second reading:  
\*Date of advertisement of passage of Bylaw:  
Date of mailing to Minister a certified copy of Bylaw:

I certify that this Special Event Bylaw # \_\_\_\_ was adopted

---

CAO  
Town of

\*Effective Date of the Bylaw unless otherwise specified in the text of the Bylaw

*A special thanks to the Town of Windsor for sharing their Special Event Bylaw and Special Event Application.*

# Community Event Emergency Response Planning

January 2014

## **INCIDENT COMMAND SYSTEM (ICS) POSITION DESCRIPTIONS**

### **Emergency Operations Center (EOC) MANAGER**

**DESCRIPTION:** The EOC Manager's responsibility is the overall management of the EOC. On most incidents the command activity is carried out by a single EOC Manager. The EOC Manager will be the CAO or designate.

#### **Reports to: Mayor and Council**

The EOC Manager should have a deputy. Deputies must be ready to take over that position at any time.

#### **RESPONSIBILITIES:**

- Assess the situation and/or obtain a briefing from the EMC or the prior EOC Manager.
- Determine Incident Objectives and strategy for the operational period.
- Determine level of staffing needed to begin dealing with the emergency. This may be increased or decreased later.
- Establish the immediate priorities.
- Ensure planning meetings are scheduled as required.
- Approve and authorize the implementation of an Incident Action Plan (IAP).
- Ensure that adequate safety measures are in place.
- Coordinate activity for all Command and General Staff.
- Coordinate with the Advisory Committee.
- Approve requests for additional resources or for the release of resources.
- Keep the Mayor informed of incident status.
- Keep the chairperson of the EMO Advisory Committee informed of incident status.
- Approve the use of trainees, volunteers, and auxiliary personnel.
- Determine the operational period.
- Authorize release of information to the news media.
- Order the demobilization of the incident when appropriate.
- Use SOP's for briefing incoming EOC Manager.

## **SAFETY OFFICER**

**DESCRIPTION:** To ensure good risk management practices are applied throughout the event. Identifies liability and loss exposures to personnel and property. Provides advice on health and safety issues.

**Reports to:** EOC Manager

### **RESPONSIBILITIES:**

The responsibilities of the Safety Officer or alternate during an emergency or disaster are:

- Report to the EOC.
- Prepare a site-specific Safety and Health Plan and publish Site Safety Plan summary (ICS Form 208), as required.
- Identify and cause correction of occupational safety and health hazards.
- Continuously monitor workers for exposure to safety or health hazardous conditions.
- Alter, suspend, evacuate or terminate activities that may pose immanent safety or health danger to the workers.
- Take appropriate action to mitigate or eliminate unsafe condition, operation, or hazard.
- Provide training and safety and health information.
- Perform assessment of engineering controls and PPE.
- Comply with NS OHS standards/guidelines.
- Document both safe and unsafe acts, corrective actions taken on the scene, accidents or injuries, and ways to improve safety on future incidents.
- Participate in planning meetings.
- Identify hazardous situations associated with the incident.
- Review the Incident Action Plan (IAP) for safety implications.
- Exercise emergency authority to stop and prevent unsafe acts.
- Investigate accidents that have occurred within the incident area.
- Assign assistants, as needed.
- Review and approve the medical plan.
- Maintain Unit/Activity Log (ICS Form 214)
- ensure safety plan is commenced and activated for all areas of the emergency operations plan.
- Work with EMO and other operational divisions to ensure safety components are built into working activities and plans.

## **LIAISON OFFICER**

**DESCRIPTION:** Invites required Support Agencies and stakeholders to the EOC. Provides input to strategic direction and advice and liaises with neighboring municipal EMC.

**Reports to: EOC Manager**

### **RESPONSIBILITIES:**

The responsibilities of the Liaison Officer or alternate during an emergency or disaster are:

- Be a contact point for Agency Representatives.
- Maintain a list of assisting and cooperating agencies and Agency Representatives.
- Monitor check-in sheets daily to ensure that all Agency Representatives are identified.
- Assist in establishing and coordinating interagency contacts.
- Keep agencies supporting the incident aware of incident status.
- Monitor incident operations to identify current or potential inter-organizational problems.
- Participate in planning meetings, providing current resource status, including limitations and capability of assisting agency resources.
- Ensure that all required agency forms, reports and documents are completed prior to demobilization.
- Have debriefing session with the EOC Manager prior to departure.
- Work with EMO and other operational divisions to ensure interagency communication and reporting are built into working activities and plans.

## **PUBLIC INFORMATION OFFICER (PIO)**

**DESCRIPTION:** Establishes and maintains media contacts. Prepares social media releases, coordinates interviews and news briefings and monitors media and information sources and ensures public safety information is provided in accessible formats.

**Reports to: EOC Manager**

### **RESPONSIBILITIES:**

The responsibilities of the Public Information Officer or alternate during an emergency or disaster are:

- Report to the EOC.
- Have an area away from EOC.
- Brief Mayor and Council on situation.
- Maintain a log of all action taken.
- Coordinate a Press Release on information received from the IC.



- Coordinate with local and other media as required.
- Coordinate social media forums such as Facebook, Twitter, websites etc.
- Ensure emergency messages are activated on main telephone lines as required.

## **ADMINISTRATION / FINANCE SECTION CHIEF**

**DESCRIPTION:** The Finance Section Chief is responsible for managing all financial aspects of the incident. He / she are responsible for tracking all incident costs and providing guidance to the EOC Manager on financial issues that may have an impact on incident operations.

**Reports to: EOC Manager**

### **RESPONSIBILITIES:**

- Check-In upon arrival at the EOC.
- Report to the EOC Manager.
- Obtain a briefing on the situation
- Review your position responsibilities.
- Ensure that the section is set up properly and that appropriate personnel, equipment and supplies are in place. Set-up your workstation.
- Review organization in place at the EOC. Know where to go for information or support.
- Clarify any issues you may have regarding your authority and assignment, and what others in the organization do.
- Open and maintain section logs.
- Organize and staff section as appropriate.
- Identify collateral response organization(s) and positions.
- Manage all financial aspects of an incident.
- Confer with EOC Manager on delegation of purchasing authority to section. Determine appropriate purchasing limits to delegate to Logistics Section.
- Meet with Operations and Logistics Chiefs. Determine financial and administrative support needs. Review procedures for on-going support from section. Establish purchasing limits for Logistics Section.
- Based on the situation as known or forecast, determine likely future Finance/Administration section personnel and support needs.
- Review responsibilities of units in section. Develop plan for carrying out all responsibilities.
- Activate organizational units within section as needed and designate leaders for each unit.
- Request additional personnel for the section as necessary to maintain appropriate level of EOC operations.
- Adopt a proactive attitude. Think ahead and anticipate situations and problems before they occur.
- Ensure that section logs and files are maintained.

- Carry out responsibilities of Finance/Administrative Section units that are not currently activated.
- Make sure that all contacts with the media are fully coordinated first with the Public Information Officer.
- Participate in EOC Manager's strategy meetings and planning meetings.
- Conduct periodic briefings for section. Ensure that all organizational elements are aware of priorities.
- Monitor section activities and adjust section organization as appropriate.
- Resolve problems that arise in conduct of section responsibilities.
- Brief EOC Manager on major problem areas that now need or will require solutions.
- Share status information with other sections as appropriate.
- Keep agency administrators apprised of overall financial situation.
- Brief your relief at shift change time.

#### **Demobilization**

- Provide financial input to demobilization planning.
- Demobilize the Section and close out logs when authorized by the EOC Manager.
- Ensure that any open actions are assigned to the appropriate agency or element for follow-on support.
- Ensure that any required forms or reports are completed prior to your release and departure.
- Be prepared to provide input to the Post Incident Report.

## **LOGISTICS SECTION CHIEF**

**DESCRIPTION:** The Logistics Section Chief is responsible for providing all support needs to the incident. Support needs include facilities, services, personnel, equipment and supplies. The Logistics Section Chief activates and supervises the units within the Logistics Section.

**Reports to: EOC Manager**

### **RESPONSIBILITIES:**

- Check-In upon arrival at the EOC.
- Report to the EOC Manager.
- Obtain a briefing on the situation
- Review your position responsibilities.
- Determine if other section staff is at the EOC.
- Ensure that the section is set up properly and that appropriate personnel, equipment and supplies are in place. Set-up your workstation.
- Review organization in place at the EOC. Know where to go for information or support.
- Clarify any issues you may have regarding your authority and assignment, and what others in the organization do.
- Open and maintain Section logs.
- Manage all incident logistics.
- Provide logistical input to the EOC Manager in preparing the Incident Action Plan.
- Identify anticipated and known incident service and support requirements.
- Request additional resources as needed.
- Supervise requests for additional resources.
- Oversee demobilization of the Logistics Section.

## **COMMUNICATIONS UNIT LEADER**

**Reports to: Logistics Chief**

### **RESPONSIBILITIES:**

The responsibilities of the Communications Unit Leader or alternate during an emergency or disaster are:

- activates the communications Alert System.
- provides communications in support of emergency or disaster operations.
- establishes static and mobile communications posts as required.
- provide liaison with Annapolis Valley Amateur Radio Club.
- ensure that logs are maintained of all actions taken, including all IN and OUT messages.
- ensure that all personnel likely to operate on the emergency command channel be trained to at least the Restricted Radio Operator (RRO) standard.

## **ANNAPOLIS VALLEY AMATEUR RADIO CLUB**

### **Amateur Radio Emergency Coordinator**

**Reports to: Communications Unit Leader**

#### **RESPONSIBILITIES:**

The responsibilities of the Amateur Radio Emergency Coordinator or alternate during an emergency or disaster are:

- to act as liaison with local emergency planning officials to determine their communications needs.
- to organize local amateur radio operators in an effective emergency communications medium.
- plan to respond to emergencies or disasters or to provide mutual aid.
- to liaise with regional and provincial amateur emergency communications coordinators to effectively integrate the Annapolis Valley amateur communications plan with regional and provincial plans.
- to establish effective call-up procedures to alert operators during an emergency.
- to accurately inventory amateur radio operators and their communications resources.
- to coordinate the deployment of amateur radio operators and resources during an emergency according to the needs of local emergency response officials.
- to ensure that Net Control operators are selected and trained.
- to ensure that amateur radio operators are trained in conducting emergency communications and in message handling.
- activate the Club's Amateur Emergency Communications Plan.
- coordinate the amateur radio response in cooperation with the Communications Unit Leader; and
- alert regional and provincial amateur communications coordinators to possible requirements for assistance.

## **OPERATIONS SECTION CHIEF**

**DESCRIPTION:** The Operations Section Chief is responsible for the support of all tactical operations for the incident. The Operations Section Chief helps formulate and interprets strategy established by the EOC Manager implements it tactically as per EOC procedures. The Operations Section Chief activates and supervises organizational elements in accordance with the Incident Action Plan (IAP) and directs its execution. The Operations Section Chief also directs the preparation of unit operational plans, requests or releases resources, makes expedient changes to the Incident Action Plan as necessary, and reports such changes to the EOC Manager. The Operations Section Chief ensures that the operations function is carried out including the coordination of response for all operational functions assigned to the EOC and ensures that operational objectives and assignments / missions identified in the IAP are carried out effectively. The Operations Section Chief establishes the appropriate level of organization within the section, continuously monitors the effectiveness of that organization and makes changes as required. The Operations Section Chief reports to the EOC Manager on all matters pertaining to section activities.

**Report to: EOC Manager**

### **RESPONSIBILITIES:**

- Check-In upon arrival at the EOC.
- Report to the EOC Manager.
- Obtain a briefing on the situation
- Review your position responsibilities.
- Determine if other section staff is at the EOC.
- Ensure that the Operations Section is set up properly and that appropriate personnel, equipment and supplies are in place. Set-up your workstation.
- Review organization in place at the EOC. Know where to go for information or support.
- Clarify any issues you may have regarding your authority and assignment, and what others in the organization do.
- Open and maintain section logs.
- Meet with Communications Unit Leader.
  - Obtain briefing on on-site and external communications capabilities and restrictions.
- Attempt to determine estimated times of arrival of requested staff that are not yet on site.
- Establish operating procedure with Communications Unit for use of telephone and radio systems.
- Make any priorities or special requests known.
- Meet with the Planning Section Chief. Obtain and review any major incident reports.
- Obtain from the Planning Section additional field operational information that may pertain to or affect Section operation.
- Based on the situation as known or forecast, determine likely future Operations Section needs.
- Review responsibilities of the Section. Develop plan for carrying out all responsibilities.

- Activate organizational elements within Section as needed and designate supervisors for each element.
- Determine need for representation or participation of other organization representatives.
- Request additional personnel for the Section as necessary for maintaining appropriate level of EOC operation.
- Advise EOC Manager of Section status.
- Adopt a proactive attitude. Think ahead and anticipate situations and problems before they occur.
- Provide situation and resources information to the Planning Section on a periodic basis or as the situation requires.
- Conduct periodic briefings and work to reach consensus among staff on objectives for forthcoming operational periods.
- Attend and participate in strategy and planning meetings.
- Work closely with the Planning Section Chief in the development of EOC Incident Action Plans.
- Ensure that information for your sections and Organization representatives is made available to the Planning Section.
- Ensure that all fiscal and administrative requirements are coordinated through the Finance/Administration Section.
  - Notification of any emergency expenditures
  - Time sheets
- Brief EOC Manager on major problem areas that now need or will require solutions.
- Brief supervisors periodically on any updated information you may have received.
- Share status information with other sections as appropriate.
- Brief your relief at shift change time.
- Deactivate subordinate units when no longer required. Ensure that all paperwork is complete, logs are submitted to the Documentation Unit (or Planning Section).

## **Demobilization**

- Authorize demobilization of organizational elements with the Section when they are no longer needed. Ensure that any open sections are handled by section or transferred to other EOC elements as appropriate.
- Demobilize the Section and close out logs when authorized by the EOC Manager.
- Ensure that any open actions are assigned to the appropriate agency or element for follow-up support.
- Ensure that any required forms or reports are completed prior to your release and departure.
- Be prepared to provide input to the Post Incident Report.
- Request additional resources to support tactical operations.
- Approve release of resources from assigned status (not release from the incident).
- Make or approve expedient changes to the Incident Action plan during the Operational Period as necessary.
- Maintain close communication with the Incident Commander.
- Maintain Unit Log.

## **Fire Services (Fire Chief or alternate)**

**Reports to: Operations Section Chief**

### **RESPONSIBILITIES:**

The responsibilities of the Fire Services Chief or alternate during an emergency or disaster are:

- activate the department's Emergency Alert System.
- coordinate firefighting operations.
- provide assistance in rescue operations.
- coordinate water rescue operations in coordination with RCMP and GSAR
- coordinate hazardous material responses.
- activate the Mutual Fire Aid System if required.
- ensure that dangerous goods support agencies are contacted if necessary; and
- maintain a log of all actions taken.

## **Royal Canadian Mounted Police (RCMP)**

**Reports to: Operations Section Chief**

### **RESPONSIBILITIES:**

The responsibilities of the R.C.M.P. during an emergency or disaster are:

- activate the department's Emergency Alert System.
- control, and if necessary, disperse crowds within the emergency or disaster area.
- seal off the emergency or disaster area.
- control traffic to facilitate the movement of emergency vehicles.
- oversees the evacuation of buildings or residential areas authorized by the Operations Group.
- ensure the protection of lives, public and private property.
- provide security and prevent looting of evacuated areas.
- provide assistance to the Coroner.
- direct search and rescue operations (e.g., work with GSAR. / Fire Departments).
- provide or request assistance when required.
- maintain a log of all actions taken.

## **Ground Search and Rescue (GSAR)**

**Reports to: Operations Section Chief**

### **RESPONSIBILITIES:**

The responsibilities of the Chief or alternate of the GSAR Organization during an emergency or disaster are:

- activate the organization's Emergency Alert System.
- support emergency or disaster operations.
- search for missing persons, ground and air.
- provide or request mutual aid when required; and
- maintain a log of all actions taken.



## **Emergency Health Services (EHS)**

**Reports to: Operations Section Chief**

### **RESPONSIBILITIES**

The responsibilities of the EHS Operations supervisor or EPSO Paramedic or alternate during an emergency or disasters are:

- Establish priorities for distribution of resources among multiple sites.
- Ensure available equipment and resources required at the scene are mobilized.
- Coordinate incident related, off site concerns, i.e., staffing, etc.
- Liaise with all other agencies including hospital staff and facilities.
- Liaise with Fire Representative to mobilize Medical First Responders (MFRs) as needed.
- Ensure the System Status Plan is maintained outside of the incident site.
- Prepare to return to normalcy.

## **Health Representatives**

**Reports to: Operations Section Chief**

### **Health Liaison Officer**

#### **Responsibilities**

On receipt of the warning of a real or potential emergency or disaster, the Health Representative shall:

- Activate the health services alert system
- Report to the Emergency Operations Centre
- Activate the health services emergency plan
- Act as a liaison for the coordination of the response of health services including:
  - Annapolis Valley Health Authority
  - Capital District Health Authority
  - VON
  - Continuing Care
- Maintain a log of all actions taken

### **Health Services Responsibilities**

#### **All Services**

- Activate internal emergency alert system
- Activate internal emergency response plan when notified of a disaster situation.

- Establish a communications link with the Health Liaison Officer within the Emergency Operations Centre

Capital District Health Authority and Annapolis Valley Health Authority hospitals:

- Provide hospitalization for the seriously injured
- Provide appropriate medical care to victims of the disaster
- Coordinate the provision of emergency medical treatment for those not requiring hospitalization
- Coordinate the transfer of victims to other hospital facilities as required
- Provide a medical on-site team in an extreme emergency when advance medical treatment is required, at the scene, because of an inability to transport victims to a health facility
- Provide a list of wholesale distributors of pharmaceuticals or surgical supplies, hospitals, clinics, clinical laboratories, special care facilities, and health personnel associated with the Health Facility

### **Public Health Services:**

- Provide information on health hazards
- Assist with the prevention and control of communicable diseases and provide mass immunization if required
- Provide human resources to assist with provision of medically related and support care as appropriate
- Provide advice regarding the safe handling and storage of human remains
- Provide information/education, on health issues, to the public as required

### **VICTORIAN ORDER OF NURSES (VON)**

- Provide human resources to assist with the provision of medically related and support care as appropriate

### **Continuing Care**

- Provide human resources to assist with the provision of medically related and support care as appropriate

## **Public Works**

**Reports to: Operations Section Chief**

### **RESPONSIBILITIES**

The responsibilities of Public Works or alternate during an emergency or disaster are:

- activates the department's Emergency Alert System.
- provides Municipal equipment and personnel as required.
- provides a list of equipment, supplies, construction companies, private contractors and engineer resources.
- provide assistance in cleanup operations and repair of damages where there is a municipal responsibility.
- advises the Operations Control Group when sustained damages to buildings exceed safe limits.
- provides alternate supplies of water when required.
- provides barricades and flashers.
- provides assistance in search and rescue of trapped and injured people.
- restores essential services.
- provides or request mutual aid when required.
- act as liaison with NSPC
- maintains a log of all actions taken.

## **Public Transportation**

**Reports to: EOC OPERATIONAL SECTION CHIEF**

### **RESPONSIBILITIES:**

The responsibilities of the Public Transportation Officer or alternate during an emergency or disaster is:

- activate the department's Emergency Alert System.
- establish effective control over all public transportation.
- provide road transportation as required.
- provide qualified personnel to operate transportation vehicles.
- re-routing of transportation.
- provide transportation for casualties, evacuees, special care persons.
- provide lists of vehicle and fuel resources.
- provide or request mutual aid when required.
- act as liaison with local transport companies, taxi firms, airlines, school bus driver; and
- maintain a log of all actions taken.

## **Emergency Social Services**

### **Reports to: Operations Section Chief**

#### **RESPONSIBILITIES:**

Under the Emergency Management Act of Nova Scotia, the Department of Community Services (DCS) is responsible for the coordination and provision of Emergency Social Services, in co-operation with EMO NS and each Municipality, to individuals affected by an emergency, and has the ultimate authority and responsibility for decisions regarding these services.

Contract between DCS and the Canadian Red Cross

Since 2000, the DCS has contracted the Canadian Red Cross, to provide services on behalf of DCS regarding Emergency Social Services preparedness, planning, training and response throughout the province.

Under the terms of this agreement, an emergency is defined as one which results in the evacuation of more than 25 people or 10 units/. (Units can be 10 apartments in a building or 10 houses).

The Canadian Red Cross partners with other community groups, such as the Salvation Army, St. John Ambulance, Feed Nova Scotia, DART NS (Disaster Animal Rescue Team), the SPCA, and other agencies that can provide assistance with various areas of emergency response.

#### **ESS Activation/Notification Process**

The local authorities/first responders (police, fire services and/or municipal emc) can activate the Department of Community Services ESS team via the Red Cross's emergency number (1-800 222-9597). The Red Cross or the Regional ESS Coordinator or Alternate will then notify the Director of Emergency Social Services of the emergency.

The responsibilities of the Emergency Social Services Coordinator or alternate during an emergency or disaster are:

- activates the Services Emergency Alert System.
- provide the following:
  - temporary emergency food services.
  - temporary emergency lodging in hotels, and/or in reception center/shelters.
  - Provision of essential clothing.
  - Reception and Information Services includes reception centre/shelter management and is intended for the care of people affected by emergencies who are evacuated from their homes and require a temporary meeting place and possibly temporary accommodation until they can return to their homes, or more permanent accommodations are found.
  - Personal services including assistance in obtaining medications, arrangements for the care of pets for displaced individuals residing at an emergency shelter, psychosocial assistance, recreational services, childcare for children separated

from their care givers, and special needs of the elderly and persons with disabilities

- Family Reunification- a formal system of recording information and answering inquiries regarding the safety and location of people in an emergency. The whereabouts and condition (non-medical) of those affected are tracked through a Registration and Inquiry process, so that families may be reunited and/or reassured as quickly as possible.
- establishes communications requirements.
- provides or request mutual aid assistance when required.
- coordinate the response of volunteer organizations directly involved with Social Services; and
- maintains a log of all actions taken.

## **The Canadian Red Cross Society**

### **RESPONSIBILITIES:**

The responsibilities of the Area Manager or alternate of the Canadian Red Cross Society during an emergency or disaster are:

- activates the Society's Emergency Alert System.
- support emergency or disaster operations.
- operate an inquiry bureau to deal with national and international requests as directed by the Society's National Office.
- setup Reception Centers and provide for food, clothing, lodging, registration/inquiry, and associated personal services.
- provide or request mutual aid when required; and
- maintains a log of all actions taken.

## **Saint John Ambulance**

### **RESPONSIBILITIES:**

The responsibilities of the Superintendant or alternate of St. John Ambulance during an emergency or disaster are:

- activates the brigade's Emergency Alert System.
- support emergency or disaster operations.
- provides emergency first aid services in coordination with Health Services Representative and/or EHS Representative through the Medical First Response program.
- provide or request mutual aid when required; and
- maintains a log of all actions taken.

## **The Salvation Army**

### **RESPONSIBILITIES:**

The responsibilities of the Divisional Commander or alternate of the Salvation Army during an emergency or disaster are:

- activates the Division's Emergency Alert System.
- support emergency or disaster operations.
- provide, in cooperation with Red Cross/Community Services:
  - shelter and bedding.
  - mobile kitchens.
  - Clothing.
  - provides a list of clergy assistance.

## **PLANNING SECTION CHIEF**

**DESCRIPTION:** The Planning Section Chief is responsible for the collection, evaluation, dissemination and use of information about the development of the incident and the status of resources. Information is needed to understand the current situation, predict the probable course of incident events, and prepare alternative strategies and control operations for the incident. The Planning Section Chief conducts the Planning Meeting and is responsible for producing a written Incident Action Plan (if so, directed by the EOC Manager). The Planning Section Chief activates and supervises units within the Planning Section, Situation Unit, Resource Unit, Documentation Unit, Demobilization Unit and Technical Specialists.

### **RESPONSIBILITIES:**

- Check-In upon arrival at the EOC.
- Report to the EOC Manager.
- Obtain a briefing on the situation.
- Review your position responsibilities.
- Determine if other section staff are at the EOC.
- Ensure that the section is set up properly and that appropriate personnel, equipment and supplies are in place. Set-up your workstation.
- Review organization in place at the EOC. Know where to go for information or support.
- Clarify any issues you may have regarding your authority and assignment, and what others in the organization do.
- Open and maintain Section logs.
- Organize and staff section as appropriate.
- Collect from all available sources, information about the incident.
- Provide input to preparation of the Incident Action Plan (IAP).
- Provide input to modification of the IAP to meet changing needs as necessary.
- Prior to the completion of the IAP, prepare and distribute the EOC Manager's objectives.
- Conduct the Planning Meeting.
- Establish reporting requirements and reporting schedules for all ICS organizational elements.
- Gather, post, and maintain current incident resource status.
- Determine need for any specialized resources in support of the incident.
- If requested, assemble and disassemble resources not assigned to operations.
- Identify coincidental information needs and gather as necessary.
- Ensure information concerning special environmental needs is included in the IAP.
- Assemble information on alternative strategies based on projections.
- Provide periodic predictions on incident potential and develop contingency plans (e.g., worst case scenario).
- Advise EOC staff of any significant changes in incident status.
- Anticipate changes in resource needs.
- Compile and display incident status information.
- Oversee preparation of Incident demobilization plan.
- Incorporate plans developed by other units (Incident Communications Plan etc.) into the Incident Action Plan.

- Maintain Unit Log.
- Perform operational planning for the Planning Section.
- Insure coordination between the Planning Section and other Command and General staff.

## **Duty Officer**

### **Reports to: Planning Section Chief**

The responsibility of the Duty Officer is to manage and disseminate information.

Responsibilities include:

- assisting with setting up the EOC,
- assisting with notifying EOC participants,
- opening, maintaining, and displaying a main event log.
- maintaining situational awareness.
- drafting and disseminating situational reports to EOC participants, other Emergency Management Organizations, and pertinent stakeholders.
- maintaining a map of the incident indicating the location of incidents and resources.
- providing a briefing of the current situation for the initial planning meeting.
- other duties as assigned by the Planning Section Chief.

## **TECHNICAL SPECIALISTS**

Technical Specialists are advisors with special skills which are needed to support incident operation.

### **Report to: Planning Chief**

- May form a separate branch if required or be reassigned to other sections of the organization, e.g., a chemist who could provide technical information on the probable health hazards or extent of an evacuation for a hazard materials incident.
- Participating in the development of an incident action plan and review the general control objectives, including alternative strategies as requested.
- Responding to requests for information about the limitations and capabilities of resources.
- Collecting and transmitting records and logs to the documentation unit at the end of each operational period.



## **Technical Specialists**

### **Nova Scotia Department of Environment**

#### **Report to: Planning Chief**

#### **RESPONSIBILITIES**

The responsibilities of the Manager or alternate of the NS Department of Environment during an emergency or disaster are:

- Ensure compliance with drinking water safety requirements. Act in support of MOH and
- Communicable Disease Control Committee in the prevention and investigation of waterborne contaminants and/or illnesses.
- Ensure compliance with proper waste disposal practices, including disposal of solid waste, hazardous materials, wastewater, sewage, and other organic wastes (i.e., foods and animal remains).
- Ensure adequate containment, cleanup and disposal of spills and releases of substances causing adverse environmental effects
- Provide public information on drinking water safety, solid and hazardous waste management and clean-up of contaminated areas.
- Provide post-emergency assessment on the above issues through surveillance and monitoring until conditions return to normal.

### **Nova Scotia Department of Agriculture Aboiteau Superintendant**

#### **Report to: Planning Chief**

#### **RESPONSIBILITIES:**

The responsibilities of the Aboiteau Superintendant or alternate of the NS Department of Agriculture during an emergency or disaster are:

- Provide information with respect to tidal and fresh-water flow from the Avon River system.
- Liaise with NS Power with respect to water flow from infrastructure and impacts on water levels.
- Liaise with the EOC Manager/ Public Works/ Transportation and Active Transport with respect to water flow and potential flooding.

## **Nova Scotia Department of Agriculture Food Safety Division**

### **Report to: Planning Chief**

The responsibilities of the Food Safety Representative or alternate of the NS Department of Agriculture during an emergency or disaster are:

- Provide inspection services to ensure food safety at temporary and permanent food service facilities during the emergency.
- Ensure food safety by proper food storage and handling procedures, and provide advice regarding determination of contaminated food.
- Act in support of MOH and Communicable Disease Control Committee in the prevention and investigation of food borne contaminants.
- Provide public information regarding food safety during emergencies, and advice regarding food safety issues for high-risk populations (elderly, infants, immune-compromised individuals).
- Provide post-emergency assessment through surveillance and monitoring until conditions return to normal.
- Liaise with the EOC Manager/ group responsible for food service.
- Provide water supply sampling services at food service facilities in conjunction with NS Department of Environment.
- Provide advice and assistance on other agricultural and fisheries matters (i.e., animal disease issues).

### **HUMAN RESOURCES COORDINATOR RESPONSIBILITIES:**

1. The responsibilities of the Human Resources Coordinator during an emergency or disaster are:
  - coordinate supply and demand of human resources at the site with assistance of the Transportation Officer,
  - maintains records of human resources; and turn in log records daily to the EOC.
  - arrange for transportation of human resources to and from the emergency or disaster site,
  - advises the EOC Manager on all matters concerning human resources planning.
  - maintains a log of all actions taken.

## **Organization Representatives**

**POSITION DESCRIPTION:** In many multi-jurisdictional incidents, an agency or jurisdiction will send a representative to assist in coordination efforts. An Organization Representative is an individual assigned to an incident from an assisting or cooperating agency who has been delegated authority to make decisions on matters affecting that agency's participation at the incident. Organization Representatives report to the Liaison Officer or to the EOC Director.

### **Responsibilities:**

- Check in properly at the EOC.
- Obtain briefing from the Liaison Officer or EOC Director.
- Inform assisting or cooperating agency personnel on the incident that the Organization representative position for that agency has been filled.
- Clarify any issues regarding your authority and assignment and what others in the organization are responsible to look after.
- Establish communication link with home agency. If unable to do so, notify Communications Unit in the Logistics Section.
- Facilitate requests for support or information that your agency can provide.
- Keep up to date on the general status of resources and activity associated with your agency.
- Provide appropriate situation information to the Planning Section.
- Keep your agency informed of the situation.
- Attend briefings and planning meetings as required.
- Provide input on the use of agency resources unless resource technical specialists are assigned from the agency. Cooperate fully with the EOC Manager.
- Ensure the well-being of agency personnel assigned to the incident.
- Advise the Liaison Officer of any special agency needs or requirements.
- Report to home agency dispatch or headquarters on a prearranged schedule.
- Ensure that all agency personnel and equipment are properly accounted for and released prior to departure.
- Ensure that all required agency forms, reports and documents are complete prior to departure.
- Have a debriefing session with the Liaison Officer or Incident Commander prior to departure.
- Check out of EOC when demobilization is authorized.
- Leave a forwarding phone number if necessary.

# **Emergency Operations Centre (EOC) General Operating Guide (GOG) For activating, staffing and managing**

## **Notification and Activation (Alert)**

1. In the WHRM day to day accidents and incidents are usually dealt with by police, fire and health services.
2. On notification of an emergency to the 9-1-1 Communications Center (CC), the CC will immediately alert the appropriate response organizations. This initial notification sets into motion the activation of emergency response personnel. Each emergency agency will respond according to their SOP's.
3. Should an event occur however, which, in the opinion of the Senior Official involved, presents a risk to all or part of the community, and as the situation is starting to intensify, the senior official present, shall contact the EMC to assess the situation, along with the senior official involved.
4. As the EMC receives the warning of a real or potential emergency and or disaster, he will brief the CAO on the situation and departs for the scene to assess the situation. The CAO will contact and brief the Mayor as necessary.
5. The EMC in consultation with the CAO will determine level of EOC activation. See appendix 10 for EOC Activation Flow Chart. Required personnel will be contacted via the "I Am Responding" system from the contact list on file.
6. In the event of an emergency and/or disaster, and should the EMC, CAO or Mayor not be reached then, their designated alternates are to be contacted.
7. On receipt of this warning, the Mayor, assembles Council, and at that time if a state of local emergency is declared, then the Members of the Advisory Committee, with the CAO will initiate the Alert. The CAO also has the authority to activate the EOC.
8. Once the Alert has been activated, then the members of EMO Team report to the EOC. On arrival, EMO members establish communication with each of their departments, and open up a log and wait for the EOC Manager to give a briefing on the situation, after this briefing, it is very important for the public information officer, with the assistance of the RCMP, EHS, or Fire Department, to inform the public. By this time the remaining members of the EOC will be busy coordinating their duties with the EOC Manager.

## **ECC Activation Levels**

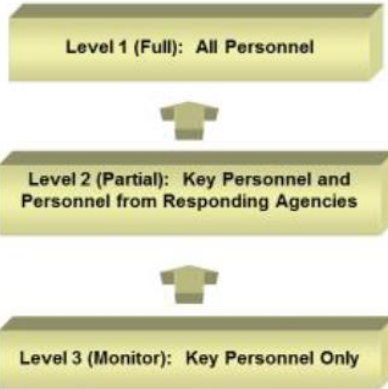
The level of EOC activation is determined by the magnitude and scope of the event. Only those EOC functions and positions that are required to meet current response objectives are activated. If staff are not assigned to a function or role, the next available staff position in the EOC organization will assume responsibility for the tasks assigned. If an individual is unsure of which level to activate, the EOC is activated to the higher level since it is easier to scale back staffing than it is to ramp up.

Appendix 10 outlines the 'Activation Flowchart' for the EOC.



## Activation Phases

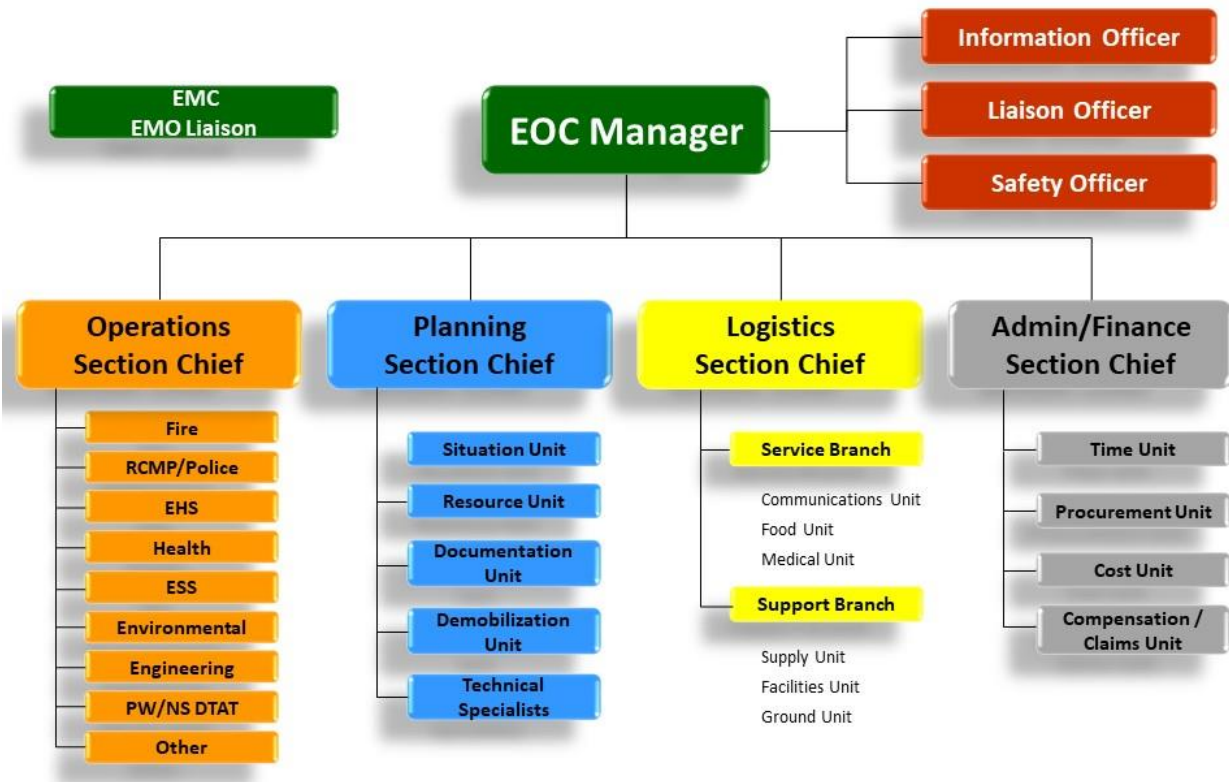
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## Level 1 – Full Activation (All Personnel)

- Major incident
- Multiple sites
- Regional disaster
- Multiple agencies involved
- Extensive evacuations
- Resources/support required
- EOC set-up
- Emergency Management Advisory Committee notified
- EMO NS notified by Emergency Management Coordinator (EMC)

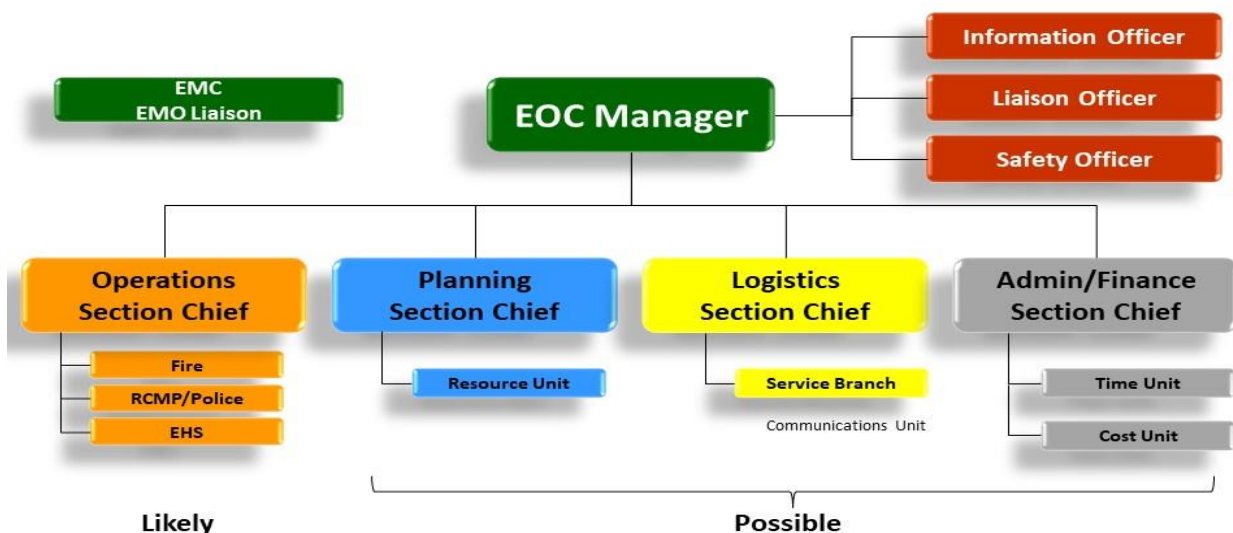
## Emergency Operations Centre (EOC) – Level 1



## Level 2 – Partial Activation (Key Personnel and Personnel from Responding Agencies)

- Moderate incident
- Two or more sites
- Several agencies involved
- Major scheduled event (e.g. conference or sporting event)
- Limited evacuations
- Some Resources/support required
- EOC set-up
- EMO NS notified by Emergency Management Coordinator (EMC)

## Emergency Operations Centre (EOC) – Level 2



### EOC Level 2 – Partial Activation

(An escalating or worsening incident that requires a Declaration of a State of Local Emergency or is of sufficient size to warrant EOC support. Section Chiefs may be called to the EOC to support on-scene Incident Commanders with acquiring and distributing resources, preparing action logs, and support of on-scene operations of emergency responders to suit the size and complexity of the emergency)

### **Level 3 – Monitoring (Key Personnel only)**

- Small incident
- One site
- Several agencies involved
- Potential threat (e.g., flood or severe storm impending)
- Some agency or coordination and/or support required
- EOC set-up optional
- EMO NS notified by Emergency Management Coordinator (EMC)

## **Emergency operations Centre (EOC) – Level 3**



### **– EOC Level 3 – Monitoring**

(Pre-emergency activity to receive and analyze early data for a weather incident to determine the probability of an escalation or worsening of conditions. During a man-made emergency the EMC visits the site to receive information from the Incident Commander on stand-by to assist)



**Deactivation**

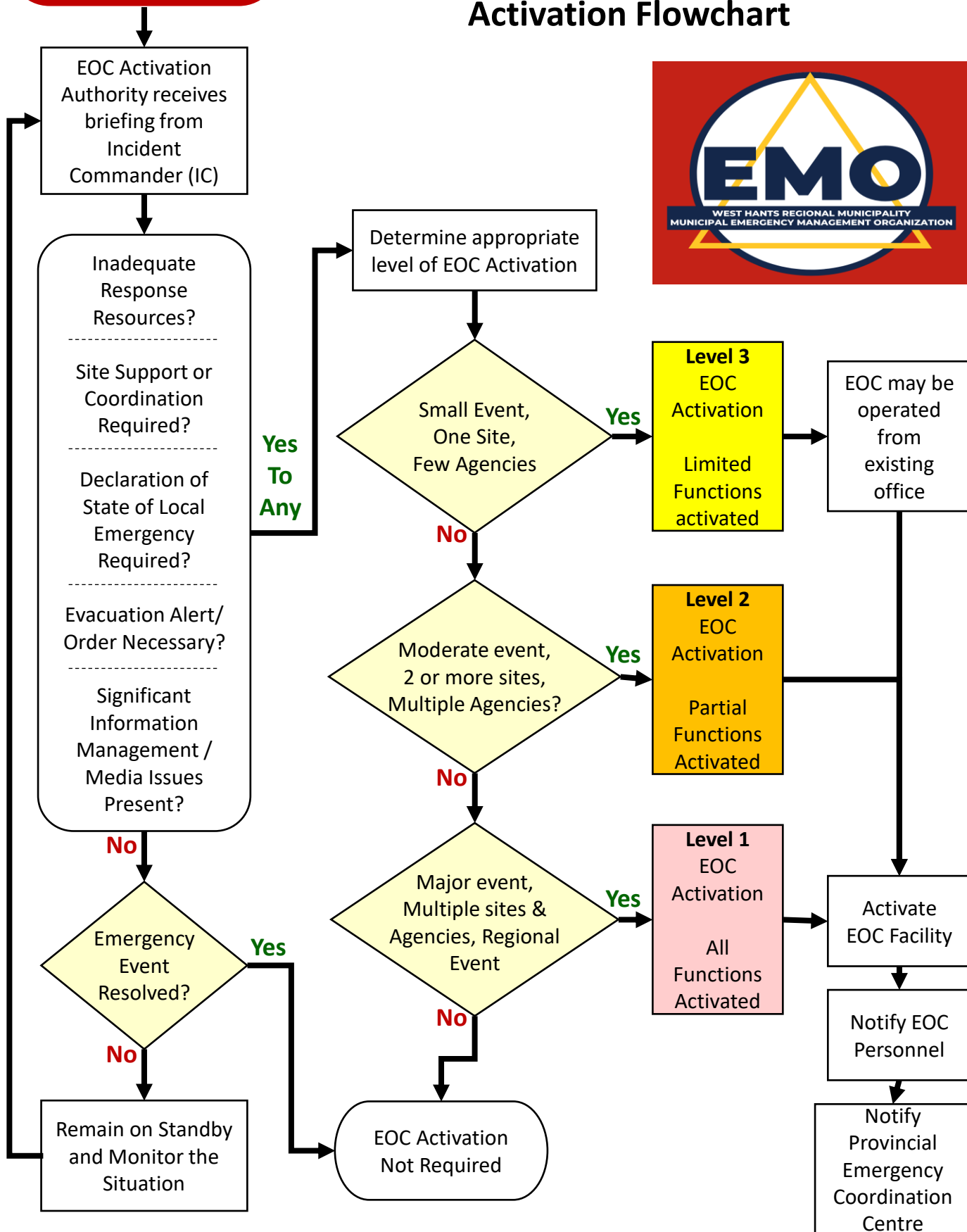
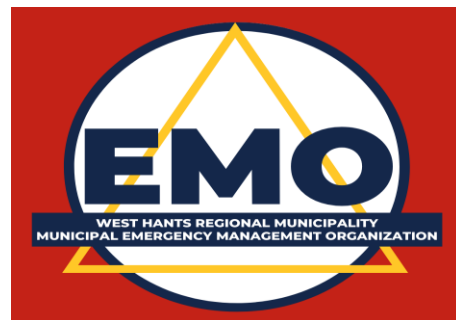
The EOC Manager (CAO) is responsible for EOC deactivation. The Manager considers the requirements of termination from the outset of the incident. Criteria for terminating EOC operations may include:

- Individual EOC functions are no longer required.
- State of Local Emergency is lifted.
- Coordination of response activities and/or resources is no longer required; and
- Incident has been contained and emergency personnel have returned to regular duties.

The Planning Sections' Demobilization Unit Coordinator in the EOC supervises and coordinates the demobilization process, under the direction of the EOC Manager.

Event Occurs or is imminent and may require activation of ECC

# Emergency Operations Centre (EOC) Activation Flowchart



# Declaration of State of Local Emergency (SOLE) and Proclamation of Local Emergency

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## Orders

1. In response to an emergency, or its likelihood, upon a finding that public safety is imperiled, the Council(s) may proclaim a state of emergency pursuant to the Emergency Management Act (Act) of the Province.
2. Such a proclamation authorizes the Council(s) to deal with the emergency situation with full ministerial powers.
3. A municipal council may, when satisfied that an emergency exists or may exist in all or any area of that municipality, declare a state of local emergency in respect of that municipality or area thereof. ([Click here for Declaration of State of Emergency Council](#))
4. If a municipal council is unable to act promptly, the mayor or warden may exercise that authority of the municipal council contained in a subsection (2) after consulting, if it is practical to do so, with a majority of the members of council to advise on the development of emergency measures plans. ([Click here for Declaration of State of Emergency Mayor or Warden](#))
5. A declaration pursuant to the Act shall identify the nature of the emergency and the area in which it exists.
6. When a state of local emergency has been declared or terminated pursuant to the Act, the municipality shall immediately cause the details of the declaration or termination to be communicated or published by such means as the municipality considers the most likely to make the contents of the declaration or termination known to the people of the area affected.
7. Upon a state of local emergency being declared the mayor or warden may, during the state of local emergency, do everything necessary for the protection of property and the health or safety of persons therein and, without restricting the generality of the foregoing, may:
  - Cause an emergency measures plan or any part thereof to be implemented;
  - Acquire or utilize or cause the acquisition or utilization of personal property by confiscation or any means considered necessary;
  - Authorize or require a qualified person to render aid or such type as that person may be qualified to provide;
  - Control or prohibit travel to or from an area or on a road, street or highway;
  - Provide for the maintenance and restoration of essential facilities, the distribution of essential supplies and the maintenance and co-ordination of emergency medical, social and other essential services;
  - Cause or order the evacuation of persons and the removal of livestock and personal property threatened by an emergency and make arrangements for the adequate care and protection thereof;
  - Authorize the entry by a person into any building or land without warrant;
  - Cause or order the demolition or removal of anything where the demolition or removal is necessary or advisable for the purpose of reaching the scene of an emergency, of attempting to forestall its occurrence or of combating its progress;
  - Order the assistance of persons needed to carry out the provisions mentioned in the Act;
  - Regulate the distribution and availability of essential goods, services and resources;
  - Authorize and make emergency payments;
  - Assess damage to any works, property or undertaking and the costs to repair, replace or restore the same;
  - Assess damage to the environment and the costs and methods to eliminate or alleviate the damage.
8. Upon declaring a local state of emergency, a mayor or warden, as the case may be,
  - Shall immediately forward a copy of the declaration to the Minister of Municipal Affairs

(Minister); and

- May authorize any person or committee to exercise any power vested in the mayor or Warden.

9. A municipality may terminate a state of local emergency with respect to an area identified by it in its declaration of a state of local emergency when, in its opinion, an emergency no longer exists in such area.

10. A state of local emergency terminates:

- When the area identified by the municipality in its declaration of a state of local emergency is including in an area identified by the Minister in a declaration of a state of emergency;
- When it is terminated by the Minister or by the municipality;
- Seven days after the day on which it was declared unless it is renewed in accordance with the Act. ([Click here for Termination of State of Emergency](#))

11. A state of local emergency may be renewed by the municipality with the approval of the Minister. ([Click here for Renewal of State of Emergency](#))

12. A mayor or warden, a municipality, a committee established pursuant to this Act or a member thereof, or any other person

- is not liable for any damage arising out of any action taken pursuant to this Act or the regulations; and
- is not subject to any proceedings by prohibition, certiorari mandamus or injunction with respect to any action taken pursuant to this Act or the regulations.

13. Any person in the course of implementing an emergency measures plan pursuant to the Act or the regulations may, at any time, enter upon any property.

14. In accordance with the Act any person who obstructs a municipality, the Emergency Management Organization, a committee established pursuant to the Act or any person in the performance of any action, matter or thing authorized by the Act or who contravenes or fails to comply

- with any provision of the Act or any regulation; or
- with any direction, order or requirement made pursuant to the Act or the regulations, is guilty of an offence and liable on summary conviction to a fine not exceeding one thousand dollars or to imprisonment of not more than six months or both.

15. Every person who with proper authority is absent from that persons accustomed employment and is on duty authorized by a municipality for the purpose of the Act shall while so absent, for all purposes relative to retention of employment, of seniority rights and of superannuation benefits, be deemed to have been in that person's accustomed employment during the period of absence.

FORM 4

DECLARATION OF A STATE OF LOCAL EMERGENCY

West Hants Regional Municipality

Section 12(2) of the *Emergency Management Act*, S.N.S. 1990, c.8

**WHEREAS** the area herein described is or may soon be encountering an emergency that requires promptaction to protect property or the health, safety or welfare of persons therein;

**Emergency Area:**

The area generally described as

---

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Province of Nova Scotia (hereafter referred  
to as the "Designated Area(s)")

Yes ( )

No ( )

**Nature of the Emergency:**

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**AND WHEREAS** the undersigned is satisfied that an emergency as defined in Section 2(b) of Chapter 8 of the Statutes of Nova Scotia, 1990, the *Emergency Management Act*, exists or may exist in the Designated Area(s) noted above;

**THE UNDERSIGNED HEREBY DECLARES** pursuant to Section 12(2) of the *Emergency Management Act*, a State of Local Emergency in the Municipality noted above as of and from \_\_\_\_\_ o'clock in the forenoon ( ) or afternoon ( ) of the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

**THIS DECLARATION OF STATE OF LOCAL EMERGENCY** shall exist until \_\_\_\_\_ o'clock in the forenoon ( ) or afternoon ( ) of the \_\_\_\_ day of \_\_\_\_\_, 20\_\_, or for a maximum of 7 days from the date and time specified above unless the Declaration is renewed or terminated as provided in Section 20 of the *Emergency Management Act*.

**DATED** at \_\_\_\_\_, in the West Hants Regional Municipality, Province of Nova Scotia, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

---

\_\_\_\_\_  
Council, West Hants Regional Municipality

\_\_\_\_\_  
Name

\_\_\_\_\_  
Position

[Authorized by Resolution No. \_\_\_\_\_  
dated the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_]

**FORM 5**

**DECLARATION OF A STATE OF LOCAL EMERGENCY**

(Mayor/Warden)

**Section 12(3) of the *Emergency Management Act*, S.N.S. 1990, c.8**

**WHEREAS** the area herein described is or may soon be encountering an emergency that requires prompt action to protect property or the health, safety or welfare of persons therein;

**Emergency Area:**

The area generally described as

---

---

Province of Nova Scotia (hereafter referred to as  
the "Designated Area(s)")

Yes ( )

No ( )

**Nature of the Emergency:**

---

---

---

**AND WHEREAS** the undersigned is satisfied that an emergency as defined in Section 2(b) of Chapter 8 of the Statutes of Nova Scotia, 1990, the *Emergency Management Act*, exists or may exist in the Designated Area(s) noted above;

**AND WHEREAS** the Council of the Municipality is unable to act;

**AND WHEREAS** the undersigned has (check appropriate box)

- (a) Consulted with a majority of the members  
of the Municipal Emergency Management  
Committee

Yes ( )

No ( )

- (b) Found it impractical to consult with the  
majority of the Municipal Emergency  
Management Committee

Yes ( )

No ( )

**THE UNDERSIGNED HEREBY DECLARES** pursuant to Section 12(3) of the *Emergency Management Act*, a State of Local Emergency in the Municipality noted above as of and from \_\_\_\_\_ o'clock in the forenoon ( ) or afternoon ( ) of the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

**THIS DECLARATION OF STATE OF LOCAL EMERGENCY** shall exist until \_\_\_\_\_ o'clock in the forenoon ( ) or afternoon ( ) of the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_, or for a maximum of 7 days from the date and time specified above unless the Declaration is renewed or terminated as provided in Section 20 of the *Emergency Management Act*.

**DATED** at \_\_\_\_\_, in the West Hants Regional Municipality, Province of Nova Scotia, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

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Mayor/Warden's signature

West Hants Regional Municipality

**FORM 6**

**RENEWAL OF A STATE OF LOCAL EMERGENCY**

(Council of Municipality/Mayor/Warden)

**Section 20(2) of the *Emergency Management Act*, S.N.S. 1990, c.8**

**WHEREAS** the area herein described is or may soon be encountering an emergency that requires prompt action to protect property or the health, safety or welfare of persons therein;

**Emergency Area:**

The area generally described as

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ Province of Nova Scotia (hereafter referred to as  
the "Designated Area(s)")

Yes ( )

No ( )

**Nature of the Emergency:**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**AND WHEREAS** the Declaration of a State of Local Emergency was signed on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_;

**AND WHEREAS** the undersigned is satisfied that an emergency as defined in Section 2(b) of Chapter 8 of the Statutes of Nova Scotia, 1990, the *Emergency Management Act*, continues to exist or may exist in the Designated Area(s) noted above;

**THE UNDERSIGNED HEREBY DECLARES** pursuant to Section 20(2) of the *Emergency Management Act*, a State of Local Emergency in the Municipality noted above is renewed as of and from \_\_\_\_\_ o'clock in the forenoon ( ) or afternoon ( ) of the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

**THE RENEWAL OF A DECLARATION OF STATE OF LOCAL EMERGENCY** shall exist until \_\_\_\_ o'clock in the forenoon ( ) or afternoon ( ) of the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_, or for a maximum of 7 days from the date and time specified above unless the Declaration is renewed or terminated as provided in Section 20 of the *Emergency Management Act*;

**THIS RENEWAL** was authorized by the Minister responsible for the *Emergency Management Act*, pursuant to Section 20(2) of the Act by approval dated the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

**DATED** at \_\_\_\_\_, in the West Hants Regional Municipality, Province of Nova Scotia, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

In the event the Council is unable to act:

\_\_\_\_\_  
Council of Municipality

\_\_\_\_\_  
Name

\_\_\_\_\_  
Mayor/Warden

\_\_\_\_\_  
Position

[Authorized by Resolution No. \_\_\_\_\_

dated the \_\_\_\_ day of \_\_\_\_\_, 20\_\_]

FORM 7

TERMINATION OF A STATE OF LOCAL EMERGENCY

(Council of West Hants Regional Municipality)

Section 18(2) of the *Emergency Management Act*, S.N.S. 1990,  
c.8

**WHEREAS** by a Declaration of a State of Local Emergency dated the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, as renewed on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, a State of Local Emergency was declared for the following area:

**Emergency Area:**

The area generally described as

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Province of Nova Scotia (hereafter referred to as  
the "Designated Area(s)")

Yes ( )

No ( )

**Nature of the Emergency:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**AND WHEREAS** the undersigned is of the opinion that an emergency no longer exists in the Designated Area(s).

**THE UNDERSIGNED** pursuant to Section 18(2) of Chapter 8 of the Statutes of Nova Scotia, 1990, the *Emergency Management Act*, hereby terminates the State of Local Emergency effective as of and from \_\_\_\_\_ o'clock in the forenoon ( ) or afternoon ( ) of the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

**DATED** at \_\_\_\_\_, in the West Hants Regional Municipality, Province of Nova Scotia, this \_\_\_\_\_ day of, 20\_\_\_\_\_.

\_\_\_\_\_  
Council of West Hants Regional Municipality

\_\_\_\_\_  
Name

\_\_\_\_\_  
Position

[Authorized by Resolution No. \_\_\_\_\_ dated the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.]



Name	Email address	Text message address	
Atwell Hartley	hatwell@westhants.ca	9026987250@txt.bell.ca	GIS & Planning Alternate
Bauchman Craig	craig.bauchman@novascotia.ca	9027928330@txt.bell.ca	Agriculture
Brown Jeffrey	jeffery.brown@novascotia.ca	9027904323@txt.bell.ca	NS Lands & Forestry
Brown Rhonda	rbrown@westhants.ca	9026982931@txt.bell.ca	WHRM Comms
Burgess Troy	tburgess@westhants.ca	9027903212@txt.bell.ca	PW - Alternate
Cochrane Jason	jcochrane51@hotmail.com	9027910518@txt.eastlink.ca	Fire
Crosby Marion	mauve_b@yahoo.com	9024717371@txt.koodo.ca	GSAR
Desveaux Heather	hdesveaux@gmail.com	9023069467@text.bell.ca	Red Cross Alternate
Duchesne Roberta	roberta.duchesne@nshealth.ca	9022229296@txt.bell.ca	NS Health (HCH) - Contact #1
Ferguson David	david.ferguson@rcmp-grc.gc.ca	9024510983@txt.bell.ca	RCMP
Ferguson Delwin	delwin.ferguson@nshealth.ca	9024733836@txt.bell.ca	NS Health (HCH) - #2 EP Manager Central
Hanshaw Jeff	jhanshaw@westhants.ca	9026707936@txt.bell.ca	IT- Alternate
Harvey Jamie	jrjh@gmail.com	9026980382@txt.bell.ca	Fire - Windsor DC
Ivany Alishia	alishia.ivany@ns.health.ca	9022218096@txt.bell.ca	NS Health (HCH)- Contact #4
Johnston Peter	pjohnston@westhants.ca	9027904887@txt.bell.ca	Fire - Hantsport
Juteau Jamie	jamiejuteau@hotmail.com	9027987643@txt.bell.ca	Fire - Windsor
Kehoe Kathy	kkehoe@westhants.ca	9027904526@txt.bell.ca	Community Development
Lavers Hal	Harold.Lavers@novascotia.ca	9027986362@txt.bell.ca	NS TAT
LeMay Madelyn	mmlemay@westhants.ca	9027980672@txt.bell.ca	Planning & Development
Lunn Jasper	Jasper.Lunn@novascotia.ca	9027987033@txt.bell.ca	Ns TAT Alternate
MacLeod Jason	jmacleod@glooscapfirstnation.com	9026905157@txt.koodo.ca	Glooscap First Nation
Maynard Paul	paul.maynard@novascotia.ca	9022233194@txt.bell.ca	Fire - Hantsport Alternate
McNamara Laura	laura.mcnamara@redcross.ca	9026708497@txt.bell.ca	Cdn Red Cross
Mitton Andrew	andrew.mitton@novascotia.ca	9026700481@txt.bell.ca	NS - EMO
Nemer Maria	maria.nemer@nshealth.ca	9024975743@txt.bell.ca	NS Health (HCH) - Contact #3
Patterson Danny	saddleriver@hotmail.com	9027904958@txt.Bell.ca	Fire - Walton
Penney Al	alphonsepenney@gmail.com	9023499315@txt.eastlink.ca	Amateur Radio
Phillips Mark	mphillips@westhants.ca	9026704255@txt.bell.ca	C.A.O.
Povah Matt	mpovah@westhants.ca	9027904760@txt.bell.ca	IT
Remme Chrystal	cremme@westhants.ca	9026921798@txt.bell.ca	WHRM Comms
Richard Todd	trichard@westhants.ca	9027987214@txt.bell.ca	PW
Roberts VanEssa	vanessa@westhants.ca	9027981708@text.rogers.ca	WHRM Comms
Rochon Carlee	crochon@westhants.ca	9027987964@txt.bell.ca	Finance
Sherrard Rick	rserrard@westhants.ca	9027902474@txt.bell.ca	EMC
Spencer Chris	c.l@eastlink.ca	9027987878@txt.bell.ca	Fire - Summerville
Thomson George	George.Thomson@avrce.ca	9026808523@txt.bell.ca	AVRCE
Thornton Shelleena	sthorton@westhants.ca	9027904985@txt.bell.ca	WHRM Comms
Tucker Matthew	matthew.tucker@rcmp-grc.gc.ca	9027094524@txt.bell.ca	RCMP
Upshaw Jennifer	jennifer.upshaw@novascotia.ca	9027910064@txt.eastlink.ca	NS Community Services
Walker Jay	John.Walker@emci.ca	9024787672@txt.bell.ca	NS - EHS
White Barry	barrywsar@eastlink.ca	9027910836@txt.bell.ca	GSAR

	<b>Hazards &amp; Damage</b>	<ul style="list-style-type: none"> <li>• Presence or possible return of Hazard</li> <li>• New/Secondary Hazards</li> <li>• Impact Assessment</li> <li>• Structural Integrity &amp; Major Infrastructure</li> </ul>
	<b>Health</b>	<ul style="list-style-type: none"> <li>• Public Health Risks</li> <li>• Safety of returning evacuees and responders</li> <li>• Provision of Mental &amp; Physical Health Services</li> </ul>
	<b>Business &amp; Other Services</b>	<ul style="list-style-type: none"> <li>• Essential Services (Power, Water, Sewage, Telecomms)</li> <li>• Commercial Services (food supply, fuel)</li> <li>• Local Government services</li> <li>• Transportation infrastructure</li> </ul>
	<b>Human Resources</b>	<ul style="list-style-type: none"> <li>• Escorting Personnel</li> <li>• Traffic Management Points / Exclusion areas</li> <li>• Outreach teams and other support services</li> <li>• Recovery Centre Personnel</li> </ul>
	<b>Physical Resources</b>	<ul style="list-style-type: none"> <li>• Transportation</li> <li>• Signage/Barriers</li> <li>• Crime Scene Preservation</li> <li>• Recovery Centre</li> </ul>
	<b>Governance</b>	<ul style="list-style-type: none"> <li>• Emergency Management Plan</li> <li>• Impact Assessment</li> <li>• Demobilization of resources/services</li> <li>• Recovery Plan</li> <li>• SOPs &amp; Guidelines</li> </ul>
	<b>Vulnerable Groups &amp; Facilities</b>	<ul style="list-style-type: none"> <li>• Level of readiness to return</li> <li>• Hospitals and Aged Care facilities</li> <li>• Education facilities ability to function</li> </ul>
	<b>Timings</b>	<ul style="list-style-type: none"> <li>• Commencement of re-entry</li> <li>• Estimated time to undertake re-entry</li> <li>• Removal of services/personnel providing re-entry assistance</li> <li>• Exit Strategy</li> </ul>
	<b>Consultation</b>	<ul style="list-style-type: none"> <li>• Support agencies</li> <li>• Affected community</li> <li>• Functional areas</li> <li>• Local Government</li> <li>• Police Services</li> </ul>
	<b>Public Information</b>	<ul style="list-style-type: none"> <li>• Return Arrangements</li> <li>• Recovery &amp; Support services</li> <li>• Safety Advice</li> <li>• Timings</li> </ul>
	<b>Options</b>	<ul style="list-style-type: none"> <li>• Restricted Re-entry</li> <li>• Unrestricted Re-entry</li> <li>• Staged Re-Entry</li> </ul>



# EMO Advisory Committee

September 14, 2021



IS YOUR FAMILY  
PREPARED?

The logo features the letters "EMO" in a large, bold, dark blue font. The letters are set against a background of a red circle with a yellow triangle and a yellow line forming a stylized house shape. The letters "E" and "M" are partially obscured by the yellow line.

# EMO

**WEST HANTS REGIONAL MUNICIPALITY  
MUNICIPAL EMERGENCY MANAGEMENT ORGANIZATION**

**Preparing for  
Emergencies**

**Rick Sherrard**  
Emergency Measures Coordinator

## Items to touch on:

- WHRM Emergency Management Program Assessment
- Public Awareness Campaign
- Rural EMO Response Pilot
- Small Scale Exercise
- WHRM Emergency Plan Refresh



IS YOUR FAMILY  
PREPARED?



## WHRM Emergency Management Program Assessment

- Essential Plan
  - Meet or in process of meeting all requirements.
- Enhanced Plan
  - 32 additional criteria identified.
    - 10 complete.
    - 13 in process.
- Comprehensive Plan
  - 12 more criteria identified.
    - 3 complete.
    - 4 in process.



## Public Awareness Campaign



The idea here is three-fold.

1. Raise public awareness of our presence & role in emergency planning.
2. Help manage public expectations and encourage self/community resiliency.
3. Engage with our residents, helping them to understand the hazards, risks and vulnerabilities in their local community and neighborhoods.

It is our goal to:

Give residents as much information as we can, so that they can plan as best they can.

WHRM has a number of online Social Media accounts and communication tools to relay a variety of information:

- Website [www.westhants.ca](http://www.westhants.ca)
- Municipal Facebook [@RMWindsorWestHants](https://www.facebook.com/RMWindsorWestHants)
- Municipal Emergency Management Organization Facebook [@WestHantsRemo](https://www.facebook.com/WestHantsRemo)
- Municipal Twitter @RegMunWWH
- Municipal EMO Twitter [@WWH\\_REMO](https://twitter.com/WWH_REMO)
- Municipal YouTube <https://www.youtube.com/channel/UCPhCgbwju1JSG-V2P1uKPHw>

Please sign up and promote these accounts to our residents.





## Rural EMO Response Pilot

It is intended that we develop a “road show” so to speak that we can roll out to various communities within our municipality giving them as much information as we can enabling them to prepare as best, they can:

- Who we are and what residents can expect.
- Communicate local risks in their community.
- Promote need for self resiliency.
- Reiterate their need for a family emergency plan.
- Provide information and helps on how to develop a plan.
- Provide information on getting or building an emergency kit.



IS YOUR FAMILY  
PREPARED?



## Small Scale Exercise

Cottage Country - Private Developments in Vaughan Area.

Tabletop Exercise - “Great Falls of Fire” - June 17,2021.

Falls Lake, Chateau Village - August 28, 2021

- Door to door contact with local residents
- Afternoon presentations at SWH Fire Station
  - EMO
  - Fire Service
  - Lands & Forestry
  - Red Cross
- Meet & Greet
- FireSmart Display and information on receiving a house assessment and mitigation demo.



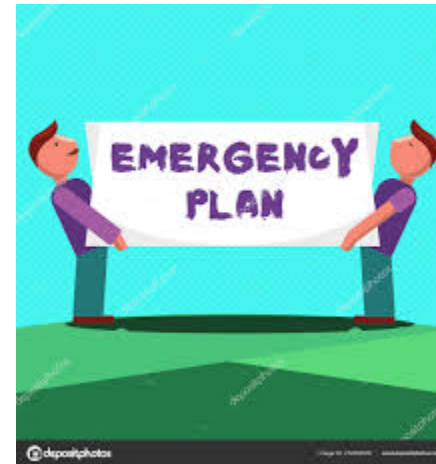


## WHRM Emergency Plan Refresh

- Our Emergency Plan ideally would be reviewed and approved annually.
- Last approval we can verify was in 2014.
- A Hazard, Risk, Vulnerability Assessment (HRVA) was completed in 2019.
- No major changes to operations have been made in the plan before you.
- We have updated where possible, adding guidance around HRVA and reporting.

### Key Elements of an Emergency Plan

- How the EMO is organized.
- How it functions.
- Triggers for Activation and
- Who is expected to show and where?



# QUESTIONS



IS YOUR FAMILY  
PREPARED?





Committee of the Whole Excerpts  
September 14, 2021

### **Windsor Drainage Issues**

On July 27, 2021, a heavy rainfall occurred and the storm water system worked as designed; however some flooding occurred due to the amount that fell within the short timeframe. Some of these areas were Stannus, Gray, Munroe, and parts of Wiley and Victoria Streets.

On September 2, another flooding occurred on a smaller scale and affected drainage in the same areas.

Without having prior knowledge of this issue, it will serve Council well to get a background on the drainage issues and look at steps to mitigate them.

CAO Phillips added that staff could undertake a report of current performance and an overview statement of confidence of the system and bring the report back to COTW in October.

**The recommended motion was...**

**COUNCIL REQUEST A STAFF REPORT ON THE HISTORICAL ISSUES OF WATER DRAINAGE DURING HEAVY RAINS IN THE STANNUS/GREY STREET AREAS AND OPTIONS TO HELP PREVENT FURTHER ISSUES.**



## WEST HANTS REGIONAL MUNICIPALITY REPORT

Information <input type="checkbox"/>	Recommendation <input checked="" type="checkbox"/>	Decision Request <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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**To: Members of West Hants Council**

**Submitted by: Abraham Zebian, Mayor**

**Date:** September 14, 2021

**Subject:** Windsor Drainage Issues

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### LEGISLATIVE AUTHORITY

Part 12 of the MGA

### RECOMMENDATION or DECISION REQUEST

...Council request a staff report on the historical issues of water drainage during heavy rains in the Stannus/Gray street areas and options to help prevent future issues.

### BACKGROUND

On July 27, 2021, a heavy rainfall occurred with over 70 mm of rain falling in a span of a few hours. Heavy flooding resulted in certain areas in Windsor as the storm water drainage system was overwhelmed. The areas of Stannus, Gray, Monroe, and parts of Wiley and Victoria Streets appear to be the areas affected. CAO Phillips and myself visited residents on Stannus to view issues and I viewed parts of Gray and Victoria as well. On September 2, a less amount of rain fell and over a longer period of time but there was still smaller issues with drainage in the same areas.

Without having prior knowledge of this issue, I think it will serve Council well to get a background on the drainage issues and look at steps to mitigate them.

Property <input checked="" type="checkbox"/>	Public Opinion <input type="checkbox"/>	Environment <input checked="" type="checkbox"/>	Social <input type="checkbox"/>	Economic <input checked="" type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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### NEXT STEPS

Staff to prepare a report for Council to review.

### **FINANCIAL IMPLICATIONS**

Financial implication would be staff time.

### **ALTERNATIVES**

Council could not request a report.

### **ATTACHMENTS**

None

### **CHIEF ADMINISTRATIVE OFFICER REVIEW**

Understanding the historic design and performance of our public infrastructure as well as other influences such as topography, tidal influences and budget implications are important factors to understand as we review the noted areas and storm water systems should Council support the recommendation.

I support the recommendation.

Report Prepared by: Abraham Zebian, Mayor

Report Approved by: \_\_\_\_\_



Mark Phillips, Chief Administrative Officer



## WEST HANTS REGIONAL MUNICIPALITY REPORT

Information <input type="checkbox"/>	Recommendation <input checked="" type="checkbox"/>	Decision Request <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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**To:** Mayor Zebian and Members of West Hants Regional Municipality Council

**Submitted by:** \_\_\_\_\_  
Sara Poirier, Senior Planner

**Date:** 2021-09-28

**Subject:** West Hants Land Use By-law Map Amendment: Hwy 14, Vaughan, PID 45288750; File #21-12 B

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### LEGISLATIVE AUTHORITY

Section 210 of the Municipal Government Act.

### RECOMMENDATION

Should Council wish to proceed to Public Hearing, the following motion would be in order:

... that Council gives First Reading and will hold a Public Hearing to consider amending the Zoning Map of the West Hants Land Use By-law to enable the lot located at PID 45288750 in Vaughan to be rezoned from the General Resource (GR) zone to the Rural Commercial (RC) zone; to amend the text of the West Hants Land Use By-law to add "Arts and crafts studios" to the list of permitted uses in the Rural Commercial (RC) zone; and to allow more than one main building on a lot in the Rural Commercial (RC) zone, all as shown on the map attached as Figure 3 and in Attachment A to the report #21-12 to the Planning and Heritage Advisory Committee dated September 9, 2021.

### BACKGROUND

Property <input checked="" type="checkbox"/>	Public Opinion <input type="checkbox"/>	Environment <input type="checkbox"/>	Social <input type="checkbox"/>	Economic <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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An application was received from Mr. Nikhil Vidwans to consider rezoning the lot at PID 45288750 in Vaughan from General Resource (GR) to Rural Commercial (RC) to permit



tourist accommodations, an office, arts and craft studios, farmers market, restaurant, personal service shops, and retail stores.

Additional amendments in association with this application include adding “arts and craft studios” to the list of permitted uses in the Rural Commercial (RC) zone and amending the general provisions of the West Hants Land Use By-law to permit more than one main building on the lot in the Rural Commercial (RC) zone.

## DISCUSSION

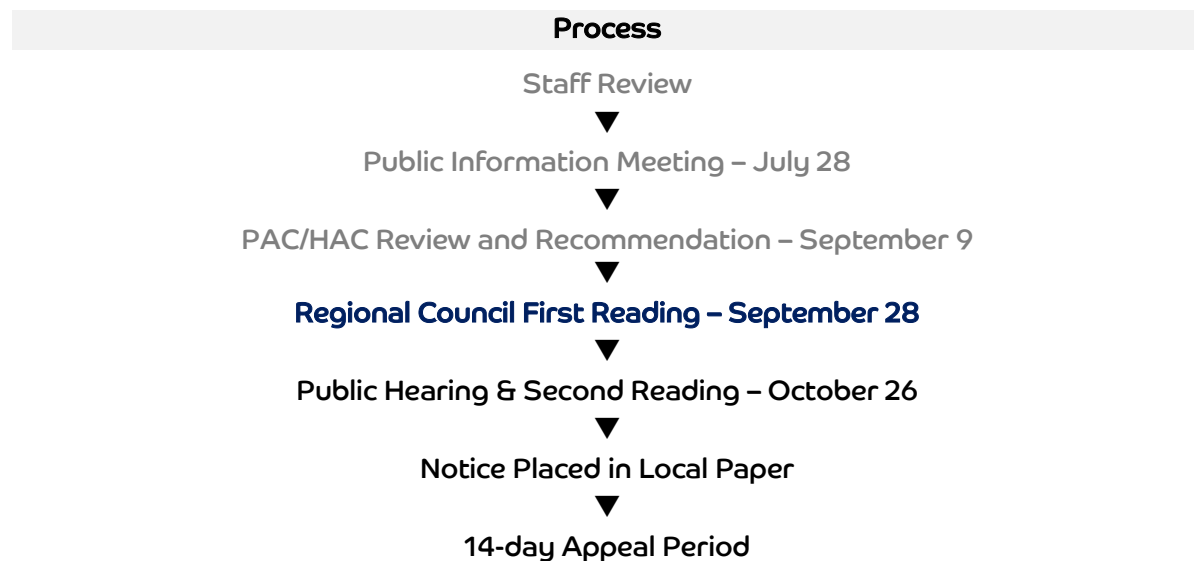
A Public Information Meeting was held on July 28, 2021.

On September 9, 2021 staff presented a recommendation report to the Planning and Heritage Advisory Committee (PAC/HAC) (Appendix A).

PAC/HAC recommended in favour of the proposed West Hants Land Use By-law Amendments on September 9, 2021.

## NEXT STEPS

The process for this application is as follows:



## FINANCIAL IMPLICATIONS

There are no financial implications to the Municipality in relation to the filing of this report.

## ALTERNATIVES

In response to the application, Council may decide to:

- hold First Reading and authorize a Public Hearing to approve the amendments as drafted;

- provide alternative direction such as requesting further information on a specific topic.

## **ATTACHMENTS**

**Appendix A**                      2021-09-09 Staff Report – West Hants Land Use By-law  
Amendments: Hwy 14, Vaughan, PID 45288750; File #21-12

## **CHIEF ADMINISTRATIVE OFFICER REVIEW**

I have participated in the the PIM and PAC/HAC meetings. I concur with the recommendation from PAC / HAC.

Report Prepared by: \_\_\_\_\_  
Sara Poirier, Senior Planner

Report Reviewed by: \_\_\_\_\_  
Madelyn LeMay, Director of Planning and Development

Report Approved by:  \_\_\_\_\_  
Mark Phillips, Chief Administrative Officer



## WEST HANTS REGIONAL MUNICIPALITY REPORT

Information <input type="checkbox"/>	Recommendation <input checked="" type="checkbox"/>	Decision Request <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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**To:** Members of Planning and Heritage Advisory Committee (PAC/HAC)

**Submitted by:** \_\_\_\_\_  
Sara Poirier, Senior Planner

**Date:** 2021-09-09

**Subject:** West Hants Land Use By-law Map Amendment: Hwy 14, Vaughan, PID 45288750; File #21-12

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### LEGISLATIVE AUTHORITY

Section 210 of the Municipal Government Act.

### RECOMMENDATION

To allow the requested development, staff recommends that PAC/HAC forward a positive recommendation by passing the following motion:

...that PAC recommends that Council give First Reading and hold a Public Hearing to consider amending the Zoning Map of the West Hants Land Use By-law to enable the lot located at PID 45288750 in Vaughan to be rezoned from the General Resource (GR) zone to the Rural Commercial (RC) zone; to amend the text of the West Hants Land Use By-law to add "Arts and crafts studios" to the list of permitted uses in the Rural Commercial (RC) zone; and to allow more than one main building on a lot in the Rural Commercial (RC) zone, all as shown on the map attached as Figure 3 and in Attachment A to the report #21-12 to the Planning and Heritage Advisory Committee dated September 9, 2021.

### BACKGROUND

A completed application was received on June 21, 2021 from Nikhil Vidwans to consider rezoning the lot at PID 45288750 in Vaughan from General Resource (GR) to Rural Commercial (RC) to permit tourist accommodations, an office, arts and craft studios, farmers market, restaurant, personal service shops, and retail stores. Arts and craft studios are not currently a permitted use in the Rural Commercial (RC) zone therefore a

text amendment to the permitted uses in the Rural Commercial (RC) zone is requested. The applicant is proposing multiple uses on the lot therefore a text amendment to the General Provisions section of the West Hants Land Use By-law is also being requested to permit more than one main building per lot within the Rural Commercial (RC) zone. The lot is owned by XALTCRAFT INC.; Mr. and Mrs. Vidwans are Directors of the company.

## **DISCUSSION**

The 20 acre subject lot is located on Highway 14 in Vaughan. The lot is designated Resource on the Generalized Future Land Use Map (Figure 1) of the West Hants Municipal Planning Strategy (WHMPS) and zoned General Resource (GR) on the Zoning Map of the West Hants Land Use By-law (WHLUB) (Figure 2). Part 9.0 of the WHMPS contains the overall intention for properties designated Resource in West Hants. Only two (2) cottages would be permitted to be developed as-of-right as per the General Resource (GR) zone requirements. Additional tourist accommodations and certain commercial uses are not permitted as-of-right in the General Resource (GR) zone.

The subject lot directly abuts properties zoned General Resource (GR) and one property zoned Rural Commercial (RC) which provides services such as a gas station, convenience store, liquor store and take-out food establishment to people traveling along Highway 14. The abutting properties are all designated Resource.

### ***Proposal***

The applicant proposes to develop the subject lot in phases. The proposed phases are outlined below:

<b>Phase</b>	<b>Timeline</b>	<b>Development</b>
1	2021	Two (2) log cabins as tourist accommodations
2	2022-2023	Five (5) log cabins as tourist accommodations
3	2023-2025	Commercial uses including a reception office, arts and craft studios, farmers market, restaurant, personal service shops, and retail stores; and Eight (8) – ten (10) log cabins as tourist accommodations
4	2025-2028	Commercial space; Ten (10) – twelve (12) log cabins as tourist accommodations; and Single unit dwelling for the applicants.

The total proposed build out on the subject lot could include 25-29 log cabins as tourist accommodations, a maximum of 5,000 ft<sup>2</sup> (464.50 m<sup>2</sup>) of commercial floor area, and a single-unit dwelling.

The Rural Commercial (RC) zone limits the commercial floor area for businesses to 5,000 ft<sup>2</sup> (464.50 m<sup>2</sup>). This requirement does not apply to automobile service stations, clubs, farm equipment sales and service, garden and nursery production, and hotels, motels and other tourist accommodations. There are no limits on the number or size of the tourist accommodations.

The applicant has also suggested that they may build a house on the subject lot in the future. The Rural Commercial (RC) zone permits "One dwelling unit in conjunction with a permitted commercial use, located either in the same building or as a single-unit dwelling on the same lot".

### ***Civic Addressing***

The driveway of the subject lot provides access to two (2) residential dwellings abutting the subject lot. The Civic Addressing By-law requires that a driveway with "three or more dwelling units" must become a named driveway. The property owner is permitted to develop two (2) cottages as-of-right as per the General Resource (GR) zone requirements. These two (2) cottages would qualify as the third and fourth dwelling unit on the driveway since the Building Officials include cabins and seasonal dwellings in the definition of a dwelling unit.

The process to name a driveway requires seventy-five percent (75%) of the owners of lots with frontage on the driveway to be in agreeance with the proposed road name. Once the road name is approved, the Civic Addressing Coordinator can issue civic addresses for the proposed uses on the subject lot.

### **Land Use By-law**

In addition to the limit on commercial floor area, the Rural Commercial (RC) zone also has abutting use requirements, lot access requirements and requirements for uses that involve flammable goods. The abutting use requirements state that where a commercial use is developed on a lot that abuts a residential use a minimum side yard of 20 ft (6.10 m) is required, no open storage or outdoor display is permitted in that side yard, and a minimum planting strip of 5 ft (1.52 m) is required. The driveway section of the subject lot is the only part that has two residential uses abutting it. The driveway would be maintained by the property owner and no structures are proposed on this section of the lot.

The lot access requirements state that the driveway shall meet Department of Transportation and Active Transit (DTAT) requirements for commercial access. DTAT was contacted for comment on the existing driveway. DTAT responded that "the existing access location is acceptable for low volume development (1 to 10 vehicles per hour)". The change of use to more than three residential structures would require the existing driveway be upgraded to what DTAT terms a "private lane" meeting specific design criteria. In discussions with DTAT they stated that they would work with the property owner to determine these design requirements for this specific location. When asked if there was any additional comments DTAT responded that "the Department has some concerns with the unrestricted access for adjacent properties and would require access management review prior to any future commercial development of PID 45288750." Further comments from DTAT stated that "the proposed construction of two 500-600 sq. ft. seasonal cottages on PID 45288750 as opposed to a single residence on the existing access, is acceptable to this Department. The development of PID 45288750 will require an access management review prior to upgrading the existing

residential driveway to meet private road criteria". The property owner is aware and in discussions with DTAT regarding the requirements for an access management review and upgrades to the driveway to meet DTAT "private lane" design criteria. As per correspondence from DTAT only two (2) tourist accommodations could be constructed on site before these are to be complete.

The Rural Commercial (RC) zone also states that automobile service stations or farm supplies and equipment sales and service businesses must have access to a minimum of two (2) exit routes and provide evidence of a water supply that meets the local Fire Department requirements. The applicant does not propose to have either of these uses on the subject lot therefore these requirements would not apply.

### ***Text Amendment***

#### **Arts and Craft Studios**

On the subject lot, the applicant proposes to develop tourist accommodations, an office, arts and craft studios, farmers market, restaurant, personal service shops, and retail stores. Should the lot be amended from the General Resource (GR) zone to the Rural Commercial (RC) zone, all of the proposed uses except the arts and craft studios would be allowed as-of-right as they are each listed as a permitted use in the Rural Commercial (RC) zone. Arts and craft studios would serve local residents and tourists which is consistent with the intent of the Rural Commercial (RC) zone. Staff are recommending that the text of Section 16 of the WHLUB be amended as part of this application to list "arts and crafts studios" as a permitted use in the Rural Commercial (RC) zone (Attachment A) to permit all of the requested uses on the subject lot if the rezoning application is successful.

#### **Main Building**

The property owner is proposing to have multiple tourist accommodations and commercial uses on the same lot. Section 5.27 of the WHLUB, One Main Building on a Lot, currently states that "No person shall erect more than one main building on a lot except:

- (a) in the Light Industrial (LI-1), Joint Industrial Type Two (LI-2), Joint Industrial Type Three (LI-3) and Resource Industrial (M-1) zones;
- (b) in the Manufactured Home Park (MHP) zone;
- (c) in the Landfill (LF) zone;
- (d) agricultural uses;
- (e) municipal water treatment and distribution uses in the Water Supply (W) zone;
- (f) grouped dwellings;
- (g) institutional uses;
- (h) regional shopping centres;

- (i) a second dwelling will be permitted on a lot where it can be shown that a second lot can be created, the second dwelling can be accommodated on that portion of the lot and the building can be shown to meet all other requirements.”

Staff are recommending amendments to Section 5.27 to include “in the Rural Commercial (RC) zone” to the list of zones permitted to allow multiple main buildings on the subject lot (Attachment A). Without this amendment, the property owner would only be permitted to construct two (2) cabins as tourist accommodations as per 5.27 (i).

### ***Map Amendment***

The proposed uses are not permitted in the General Resource (GR) zone. There is a policy option to allow Council to consider rezoning the subject lot to the Rural Commercial (RC) zone. All but one of the proposed uses are permitted in the Rural Commercial (RC) zone. An amendment to the WLUB Zoning Map is required for this application. The proposed map amendment is shown in Figure 2.

### ***Municipal Planning Strategy***

Section 9.0 of the WHMPS contains the Resource designation policies for West Hants. Policy 9.1.6 establishes Council’s intention to “consider rezoning land zoned General Resource (GR) to allow for commercial or industrial uses permitted in the Rural Commercial (RC) or Resource Industrial (M-1) zones”. The subject lot is zoned General Resource (GR) therefore can be considered for rezoning to Rural Commercial (RC) under this policy.

### ***WHMPS Specific Criteria***

Policy 9.1.6 establishes Council’s intention to consider rezoning land from General Resource (GR) to Rural Commercial (RC) subject to specific criteria. These criteria are examined in detail in Attachment B. In summary, the criteria are met since:

- the proposed uses will be contained within buildings on the subject lot and are not expected to adversely affect existing resource uses in the area;
- DTAT is requiring an access management review and upgrades to the driveway to meet its private lane design criteria to ensure safe and efficient access is provided; and
- the proposed uses are not considered obnoxious by virtue of noise, odours, dust, fumes or other emissions.

### ***WHMPS General Criteria***

The proposal meets the general criteria for amendment set out in WHMPS Policy 16.3.1. These criteria are examined in detail in Attachment B. In summary:

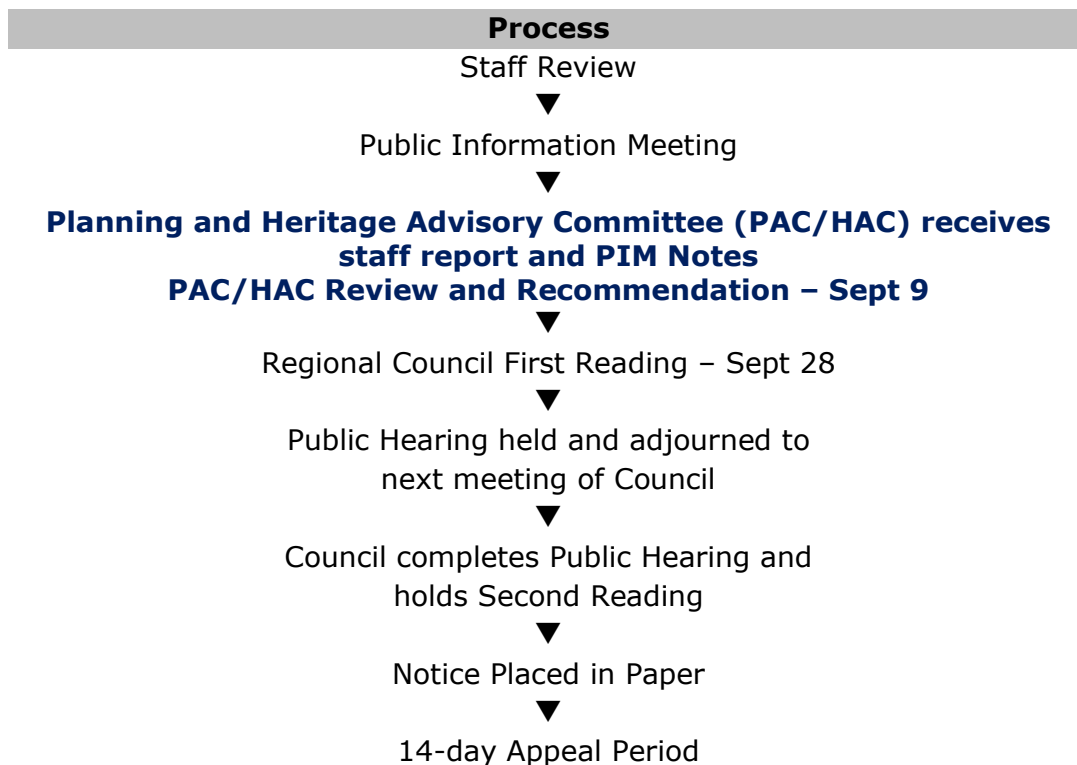
- the proposal is not premature or inappropriate for the area;
- no municipal costs related to the proposal are anticipated; and
- the Fire Chief, Manager of Building and Fire Inspection Services, Development Officer, Director of Public Works and Traffic Authority have no major concerns.

## MCCAP

The Inland Flooding and Coastal Flooding maps of the West Hants Municipal Climate Change Action Plan (MCCAP) (2013) do not show any risks of either inland or coastal flooding on the subject lot.

## NEXT STEPS

As noted above, the proposed amendment has been considered within the context of both the specific and general policies of the WHMPS and are consistent with the intent, objectives and policies of the WHMPS. The amendment meets the specific and general criteria for amendment to the WHLUB or WHMPS. As a result, it is reasonable to amend the map and text of the West Hants Land Use By-law to rezone the subject lot from General Resource (GR) to Rural Commercial (RC) and to allow arts and craft studios and more than one main building in the Rural Commercial (RC) zone.



## FINANCIAL IMPLICATIONS

There are no anticipated costs to the Municipality in regard to this development.

## ALTERNATIVES

In response to the application, PAC may recommend that Council:

- recommend that Council hold First Reading and authorize a Public Hearing to approve the WHLUB amendment as drafted or as specifically revised by direction of PAC;



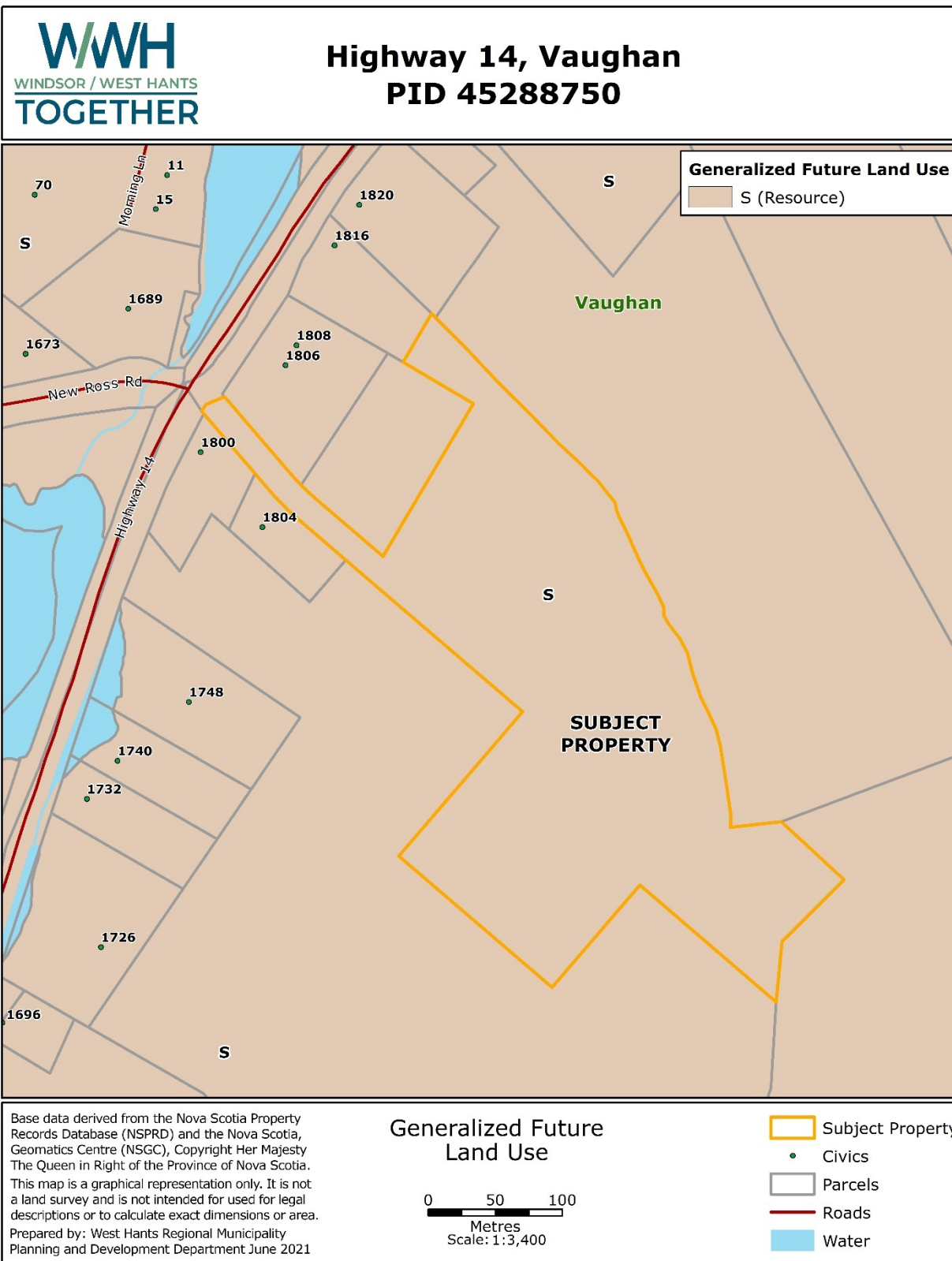
- provide alternative direction such as requesting further information on a specific topic.

## **ATTACHMENTS**

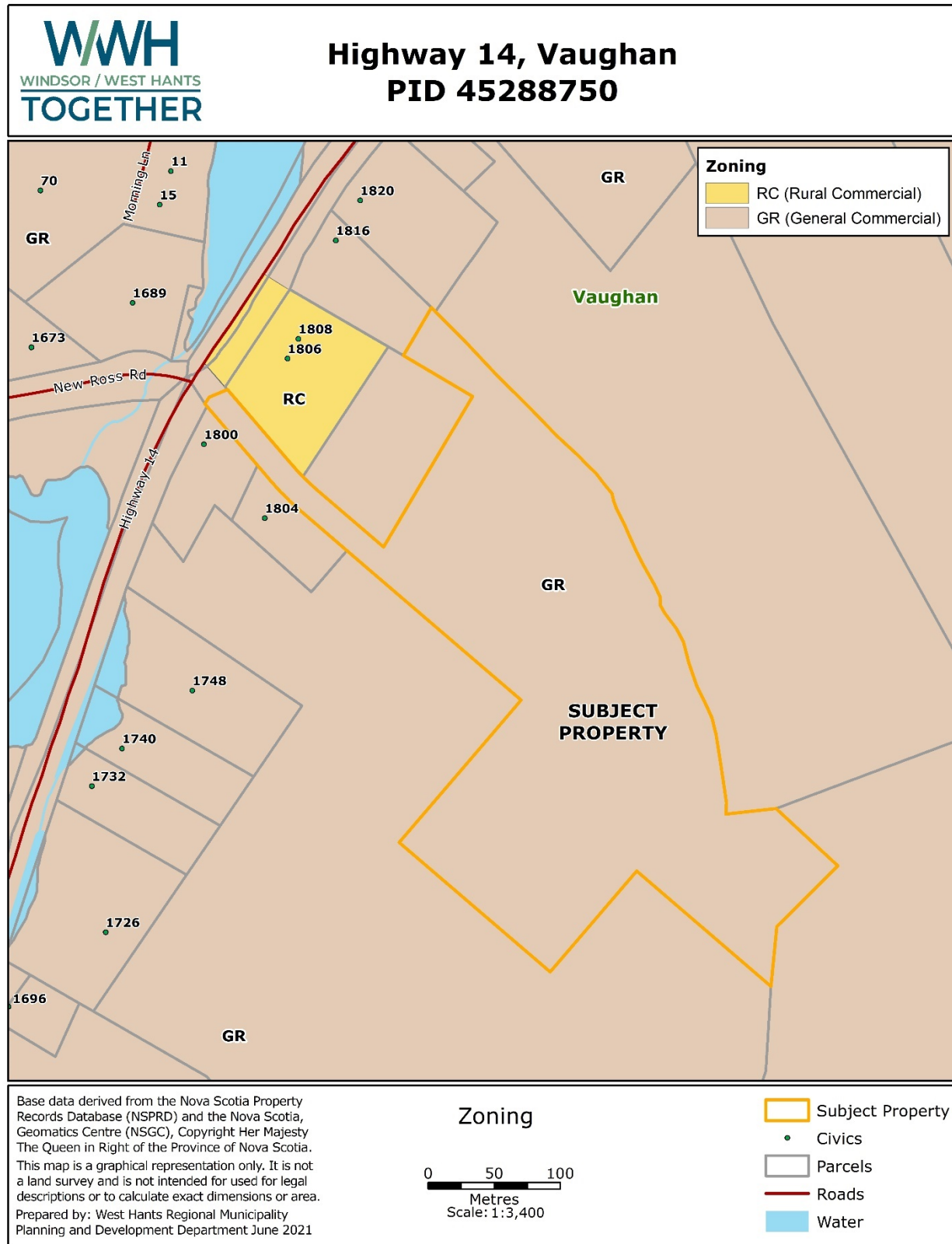
Figure 1	West Hants GFLUM Extract
Figure 2	West Hants Zoning Map Extract
Figure 3	West Hants Proposed Zoning Map Extract
Attachment A	Draft Amendments to the West Hants Land Use By-law
Attachment B	Specific Criteria for Amendment
Attachment C	General Criteria for Amendment
Attachment D	Public Information Meeting Notes

Report Reviewed by: \_\_\_\_\_  
Madelyn LeMay, Director of Planning and Development

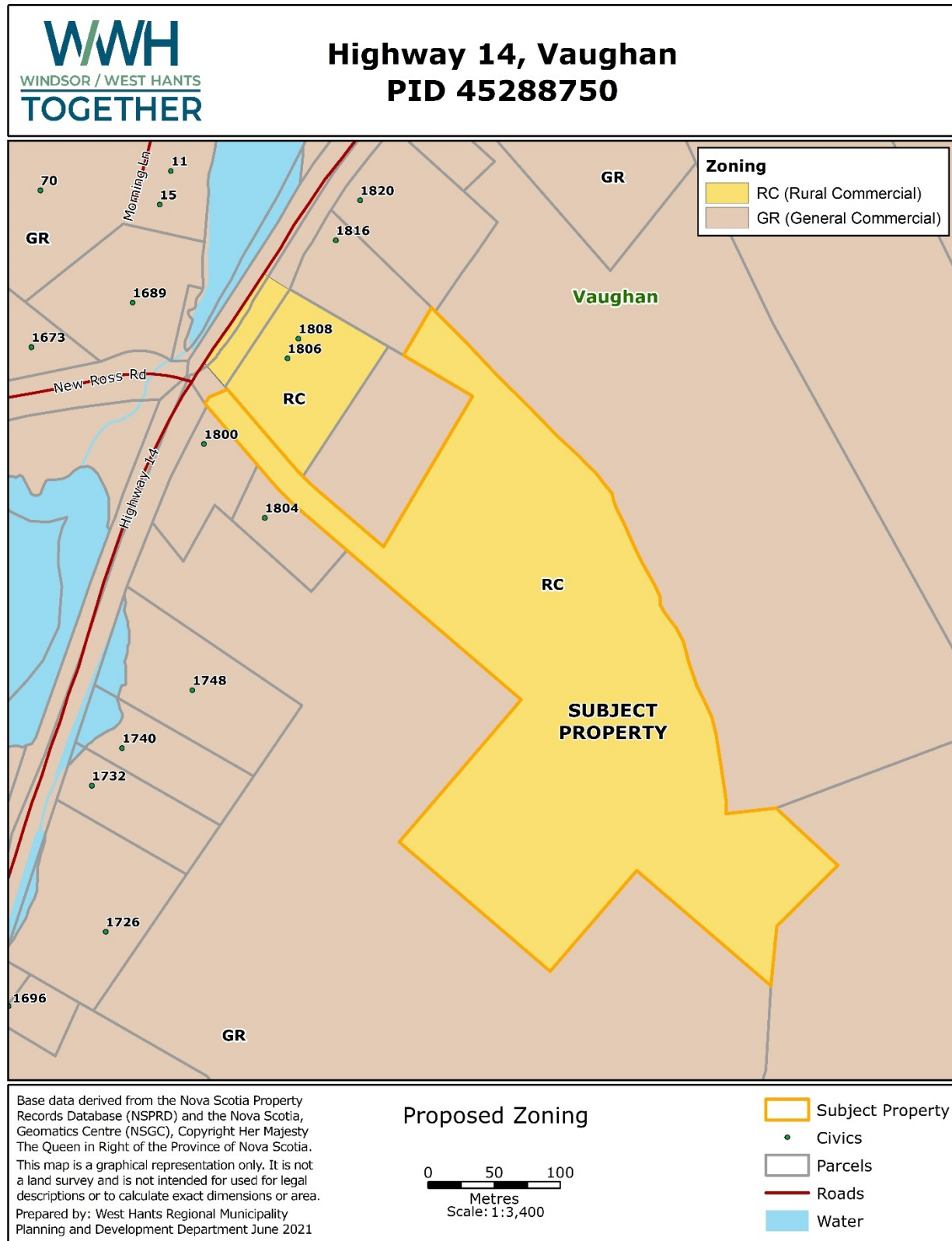
**Figure 1**  
**West Hants GFLUM Extract**



**Figure 2**  
**West Hants Zoning Map Extract**



**Figure 3**  
**West Hants Proposed Zoning Map Extract**



## **Attachment A**

### **Draft Amendments to the West Hants Land Use By-law**

Text amendment to the Rural Commercial (RC) zone to list “arts and crafts studios” as a permitted use in the zone and to the general provisions for all zones to allow more than one main building on the lot in the Rural Commercial (RC) zone. Note: Amendment in blue.

**1. Amend Part 16.1, *Permitted Uses*, in Part 16.0 of the West Hants Land Use By-law, *Rural Commercial (RC)*, to include “arts and craft studios”, so that it reads as follows:**

#### **16.0 RURAL COMMERCIAL (RC)**

##### **Permitted Uses**

16.1 The following uses shall be permitted in the Rural Commercial (RC) zone:

- Automobile service stations
- Arts and craft studios
- Banks and financial institutions
- Clubs
- Day care centres, licensed or non-licensed
- Farm supplies and equipment sales and service
- Farm markets
- Funeral homes
- Garden and nursery production, sales and supplies
- Hotels, motels and other tourist accommodations, but does not include campgrounds
- Kennels
- Licensed Cannabis Nurseries
- Offices
- One dwelling unit in conjunction with a permitted commercial use, located either in the same building or as a single unit dwelling on the same lot
- Personal service shops
- Post offices and postal outlets
- Restaurants
- Retail stores
- Existing dwellings

**2. Amend Part 5.27, *One Main Building on a Lot*, in Part 5.0 of the West Hants Land Use By-law, *General Provisions for All Zones*, to include “in the Rural Commercial (RC) zone”, so that it reads as follows:**

#### **5.0 GENERAL PROVISIONS FOR ALL ZONES**

### **One Main Building on a Lot**

5.27 No person shall erect more than one main building on a lot except:

- (a) in the Light Industrial (LI-1), Joint Industrial Type Two (LI-2), Joint Industrial Type Three (LI-3) and Resource Industrial (M-1) zones;
- (b) in the Manufactured Home Park (MHP) zone;
- (c) in the Landfill (LF) zone;
- (d) in the Rural Commercial (RC) zone;
- (e) agricultural uses;
- (f) municipal water treatment and distribution uses in the Water Supply (W) zone;
- (g) grouped dwellings;
- (h) institutional uses;
- (i) regional shopping centres;
- (j) a second dwelling will be permitted on a lot where it can be shown that a second lot can be created, the second dwelling can be accommodated on that portion of the lot and the building can be shown to meet all other requirements.

**Attachment B**  
**Specific Criteria for Amendment**

**Policy 9.1.6**

It shall be the intention of Council to consider rezoning land zoned General Resource (GR) to allow for commercial or industrial uses permitted in the Rural Commercial (RC) or Resource Industrial (M-1) zones subject to the following:

<b>CRITERIA</b>	<b>COMMENT</b>
<i>(a) the use will not adversely affect existing resource uses in the area;</i>	The proposed uses will be contained within the 20 acre subject lot and are not expected to cause an adverse effect on existing resource uses in the area.
<i>(b) the use is not one which, because of its size or nature, would be more appropriately located in a Growth Centre, Village or Hamlet;</i>	The tourist accommodations and commercial uses proposed are not large, urban commercial uses that would be more appropriately located in a Growth Centre, Village or Hamlet. The Rural Commercial (RC) zone ensures the commercial uses permitted provide a service to local residents with limited highway commercial and tourist commercial uses. Commercial uses are limited to 5,000 ft <sup>2</sup> of commercial floor area to ensure the scale is compatible with the rural area. All of the commercial uses proposed are to provide services to the tourist accommodations and the immediate community.
<i>(c) safe and efficient roadway access is provided;</i>	DTAT responded that "the existing access location is acceptable for low volume development (1 to 10 vehicles per hour). The change of use to more than three residential structures would require the existing driveway be upgraded to a private lane meeting specific design criteria." In discussions with DTAT they stated that they would work with the property owner to determine these design requirements for this specific location. When asked if there was any additional comments DTAT responded that "the Department has some

	<p>concerns with the unrestricted access for adjacent properties and would require access management review prior to any future commercial development of PID 45288750." Further comments from DTAT stated that "the proposed construction of two 500-600 sq. ft. seasonal cottages on PID 45288750 as opposed to a single residence on the existing access, is acceptable to this Department. The development of PID 45288750 will require an access management review prior to upgrading the existing residential driveway to meet private road criteria". The property owner is aware and in discussions with DTAT regarding the requirements for an access management review and upgrades to the driveway to meet private lane design criteria. As per correspondence from DTAT only two (2) tourist accommodations could be constructed on site before these are to be complete.</p>
<p><i>(d) adequate on-site parking is provided;</i></p>	<p>The Development Officer commented that they do not see parking as an issue due to the lot being approximately 20 acres in size. The property owner would have to follow section 5.31 of the West Hants Land Use By-law, <i>Parking Requirements</i>, for the particular uses that are being requested.</p>
<p><i>(e) the development is compatible with adjacent land uses with respect to:</i></p>	
<p><i>(i) traffic generation and traffic safety;</i></p>	<p>There is a property zoned Rural Commercial (RC) abutting the subject lot which provides services such as a gas station, convenience store, liquor store and take-out food establishment to people traveling along Highway 14. There is also the intersection of Highway 14 and New Ross Road which is located to the west of the subject lot. These areas generate traffic in the immediate area.</p>



	<p>When requested for comment, one of the responses from DTAT stated that “the Department has some concerns with the unrestricted access for adjacent properties and would require access management review prior to any future commercial development of PID 45288750.” This comment relates to the large access area from Highway 14 for multiple residential properties and the property currently zoned Rural Commercial (RC) in the area. DTAT would like to see more defined access routes to the particular uses to ensure traffic safety.</p> <p>The property owner is aware and in discussions with DTAT regarding the requirements for an access management review. The access management review would ensure that safe access is defined and available to the subject lot for the proposed uses.</p>
<i>(ii) hours of operation;</i>	<p>Hours of operation cannot be regulated through a Land Use By-law amendment. Due to the size of the lot the hours of operation of the proposed uses are expected to have minimal impact on the surrounding properties.</p>
<i>(iii) size and design of building(s);</i>	<p>The Manager of Building and Fire Inspection Services stated that they did not have any concerns with the size and design of the buildings. They noted that the property owner may require a sprinkler system for the commercial and assembly uses depending on the size of the buildings. A Building and Fire Official will need to do a full review of the plans when the property owner applies for development and building permits. As there is no municipal water system in the area the property owner would have to</p>

	install a tank system if a sprinkler system is required.
<i>(iv) signage; and</i>	The property owner would have to follow section 7.0 of the West Hants Land Use By-law, <i>Signs</i> , for the particular uses that are being requested.
<i>(v) pedestrian circulation and safety;</i>	The subject lot is 20 acres in size which is large enough for the property owners to ensure that pedestrian circulation and safety on the subject lot is achieved.
<i>(f) the use is not considered obnoxious by virtue of noise, odours, dust, fumes or other emissions;</i>	The proposed tourist accommodations, commercial uses and single unit dwelling would not be considered obnoxious by virtue of noise, odours, dust, fumes or other emissions based on the types of uses and size of the subject lot.
<i>(g) adequate buffering or screening, setbacks and yards are provided, and open storage is controlled;</i>	<p>The driveway is the only part of the subject lot that is abutting residential uses however no uses are being proposed on this section of the subject lot. There would be no buffering or screening requirements for the rest of the subject lot as it does not abut existing residential uses.</p> <p>Adequate setbacks and yard will be provided. Open storage is controlled in Section 5.29 of the West Hants Land Use By-law, <i>Open Storage</i>.</p>
<i>(h) any other matter which may be addressed in a Land Use By-law; and</i>	All other matters have been addressed elsewhere in this report.
<i>(i) Policy 16.3.1.</i>	Please see Attachment C for further details.

## Attachment C

### General Criteria for Amendment

**Policy 16.3.1** In considering development agreements and amendments to the West Hants Land Use By-law, in addition to the criteria set out in various policies of this Strategy, Council shall consider:

<b>CRITERIA</b>	<b>COMMENT</b>
<i>(a) whether the proposal is considered premature or inappropriate in terms of:</i>	
<i>(i) the adequacy of sewer and water services;</i>	The Project Engineer for the Public Works Department commented that there is currently no municipal water or sewer services available in this area, nor are there any plans to provide municipal water and sewer services to this area within the foreseeable future.
<i>(ii) the adequacy of school facilities;</i>	No impact on school facilities is anticipated.
<i>(iii) the adequacy of fire protection and other emergency services;</i>	The local Fire Chief stated that they do not believe the proposal is premature or inappropriate in terms of the adequacy of fire protection or other emergency services. They added that in the future a new dry hydrant should be considered near the boat launch of Mockingee Lake off of the New Ross before Phase 3 of the proposed development is approved as this will provide a closer water source for this development.
<i>(iv) the adequacy of road networks adjacent to, or leading to the development; and</i>	Highway 14 is an arterial road as defined on the Transportation Map of the WHMPS which is adequate to provide access to the subject lot. As noted previously, DTAT requires that the property owner upgrade the driveway to meet private lane design criteria and go through an access management review prior to any additional uses being constructed on the property.
<i>(v) the financial capacity of the Municipality to absorb any</i>	There are no anticipated costs to the Municipality related to this amendment.

<i>costs relating to the development.</i>	
<i>(b) whether the development is serviced, or capable of being serviced, by a potable water supply and either central sewer or an approved on-site sewage disposal system;</i>	See 16.3.1(a)(i) above. The applicant would need to obtain well and septic designs and approvals for this subject property.
<i>(c) the suitability with any aspect relative to the movement of auto, rail and pedestrian traffic;</i>	See 16.3.1(a)(iv) above. As noted in 9.16(e)(v), the subject lot is large enough to ensure that pedestrian circulation and safety on the subject lot is achieved. Similar to other rural areas of the Municipality, there are no sidewalks along Highway 14 or New Ross Road which means that pedestrians would have to walk along the shoulder of the road if they were accessing the subject lot by foot or walking from the subject lot to the lakes on New Ross Road.  There is no rail transportation in the area.
<i>(d) the adequacy of the dimensions and shape of the lot for the intended use;</i>	The lot is 20 acres in size and has adequate dimensions for the proposed uses.
<i>(e) the pattern of development which the proposal might create;</i>	This proposal is not anticipated to change the pattern of development in the area.
<i>(f) the suitability of the area in terms of steepness of grade, soil and geological conditions, location of water courses or wetlands, and susceptibility of flooding;</i>	The subject lot slopes upward from Highway 14. There are no watercourses or wetlands identified on the subject lot. The Inland Flooding and Coastal Flooding maps of the West Hants Municipal Climate Change Action Plan (MCCAP) (2013) do not show any risks of either inland or coastal flooding on the subject lot.

	The applicant will be responsible for determining the suitability of the area for the proposed uses.
<i>(g) whether the proposal meets the requirements of the appropriate provincial or federal agencies as well as whether it conforms to all other relevant municipal by-laws and regulations; and</i>	All Municipal, Provincial and Federal regulations will have to be met.
<i>(h) any other matter required by relevant policies of this Strategy.</i>	All other matters have been addressed elsewhere in this report.

**Attachment D**  
**Public Information Meeting Notes**  
**July 28, 2021 – August 31, 2021**  
**File 21-12**  
**Hwy 14, Vaughan PID 45288750**

<b>Meeting date and time</b>	A virtual Public Information Meeting was held on July 28, 2021 beginning at 6 p.m. The meeting was live broadcast on the Municipal Facebook page.
<b>Attending</b>	<p>In attendance:</p> <p>One (1) Councillor:</p> <ul style="list-style-type: none"> <li>• Councillor Ivey (Chair)</li> </ul> <p>Three (3) members of staff:</p> <ul style="list-style-type: none"> <li>• Director LeMay</li> <li>• Planner Poirier</li> <li>• Meeting Secretary Lake</li> </ul> <p>The applicant</p> <ul style="list-style-type: none"> <li>• Nikhil Vidwans</li> </ul> <p>As this meeting was held virtually there were no members of the public present.</p>
<b>Applicant name and site location (Civic address and PID)</b>	<p>Planner Poirier outlined the request from Nikhil Vidwans to rezone the property at PID 45288750 from General Resource (GR) to Rural Commercial (RC) to permit tourist accommodations, an office, arts and craft studios, farm markets, personal service shops, restaurants and retail stores.</p> <p>The applicant did not make a presentation.</p>
<b>Comments</b>	<p>Comments from the public could be submitted to Planner Poirier by mail, e-mail and telephone between July 28 and August 31, 2021.</p> <p>Five (5) residents provided verbal comments. No emails or letters were received. Staff responses are included in <a href="#">purple</a>.</p> <p>Discussion points from the public included:</p> <ul style="list-style-type: none"> <li>• No problem with the development of rental cottages however the potential of up to 5,000 ft<sup>2</sup> of commercial space was of concern</li> </ul>

	<ul style="list-style-type: none"> <li>• Scale of development with respect to the need for water and sewer on the subject lot and the potential impacts this may have on abutting properties The property owner would require approvals from Department of Environment for well and septic</li> <li>• Concern that the PIM was held virtually when residents in the area are having internet issues Staff provided the option that residents could request a printed or mailed copy of the PIM presentation if they were unable to view the meeting online</li> <li>• The PIM sign at the end of the driveway of the subject lot was removed during the public comment period Staff ensured the sign advertising the PIM was reinstalled</li> <li>• Concern regarding the lack of control the developer will have in terms of keeping visitors on the subject lot There are no municipal requirements for fencing or buffering from the subject lot and these abutting properties. It would be up to the property owner to provide a solution to keep visitors on the subject lot.</li> <li>• Timeline of development Property owners are able to prepare the site which includes moving dirt and removing trees on their lot prior to receiving approval or permits from the Municipality. The property owner is only permitted to construct two (2) cottages as per the current General Resource (GR) zoning. No other requested uses would be permitted on site until Council decides on the rezoning request. All buildings will have to meet Building Code requirements.</li> <li>• Noise concerns of people using the private boat launch</li> </ul> <p>Questions from the public included:</p> <ul style="list-style-type: none"> <li>• Driveway – will it need to be expanded or improved? Part of the requirements of the WHLUB for rezoning to Rural Commercial (RC) requires that the driveway meet DTAT commercial access</li> </ul>
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	<p>requirements. DTAT has been notified and asked to comment on the proposed development. DTAT is requiring an access management review and upgrades to the driveway to meet private lane design criteria. They have stated they will work with the property owner to determine what upgrades are needed as part of that process. DTAT and the property owner would have to follow the survey plan for the lot and would not be able to expand the driveway outside of the property lines without permission.</p> <ul style="list-style-type: none"> <li>• Is a traffic study required? A traffic study is not required by the Municipality in relation to this application. DTAT is requiring an access management review and upgrades to the driveway to meet private lane design criteria. Only two (2) cottages are permitted to be constructed on the lot prior to this requirement being fulfilled.</li> <li>• Safety concerns with pedestrians trying to cross Highway 14 to access the lakes from New Ross Road. Will sidewalks or shoulders be constructed to address this? DTAT owns the roads in the area therefore it would be a provincial department decision whether sidewalks or wider shoulders should be installed.</li> <li>• What is the potential for a development agreement instead of rezoning the property? The policies of Council in the WHMPS outline that Council will consider the types of uses requested as part of this application through rezoning. There are no policies to consider the uses by development agreement instead.</li> <li>• Are there any limitations on commercial (i.e., hours of operation)? The only limitation for the commercial uses is the commercial floor area permitted in the Rural Commercial (RC) zone being limited to 5,000 ft<sup>2</sup>. Hours of operation cannot be regulated in the Land Use By-law.</li> </ul> <p>The applicant did not have an opportunity to respond to the comments before the report was finalized.</p>
<b>Adjournment</b>	The meeting was adjourned at 6:10 p.m.







## WEST HANTS REGIONAL MUNICIPALITY REPORT

Information <input type="checkbox"/>	Recommendation <input checked="" type="checkbox"/>	Decision Request <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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**To:** Mayor Zebian and Members of West Hants Regional Municipality Council

**Submitted by:** \_\_\_\_\_  
Madelyn LeMay, Director, Planning and Development

**Date:** September 28, 2021

**Subject:** Windsor Land Use By-law Amendment: Farm Market  
File # 21-11C

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### LEGISLATIVE AUTHORITY

Section 210 of the Municipal Government Act.

### RECOMMENDATION or DECISION REQUEST

Should Council wish to proceed to a Public Hearing as recommended by PAC/HAC, the following motion would be in order:

...that Council give First Reading and hold a Public Hearing to consider amending the Windsor Land Use By-law to change the definition of farm markets to include outdoor spaces and to add farm markets to the list of permitted uses in the Fairground (FG) zone, in a manner substantively the same as Appendix A of the staff report to PAC/HAC dated September 9, 2021.

### BACKGROUND

Property <input checked="" type="checkbox"/>	Public Opinion <input type="checkbox"/>	Environment <input type="checkbox"/>	Social <input type="checkbox"/>	Economic <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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### DISCUSSION

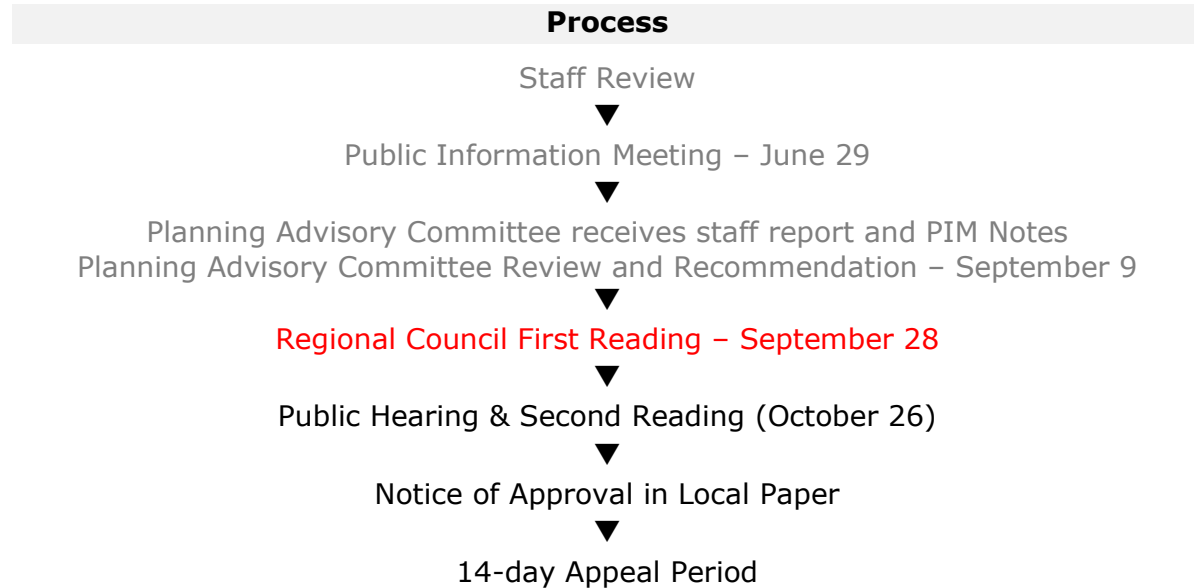
A Public Information Meeting was held on June 29, 2021.

On September 9, 2021, staff presented a recommendation report to the Planning and Heritage Advisory Committee (PAC/HAC).

PAC/HAC recommended in favour of the proposed amendments on September 9, 2021.

## NEXT STEPS

The process for this application is as follows:



## FINANCIAL IMPLICATIONS

There are no financial implications to the Municipality in relation to the filing of this report.

## ALTERNATIVES

In response to the application, Council may decide to:

- provide alternative direction such as requesting further information on a specific topic.

## APPENDIX

**Appendix A** Staff Report and Recommendation - File 21-11B

## CHIEF ADMINISTRATIVE OFFICER REVIEW

As discussed at the September PAC/HAC, Farmer's Markets have become a staple source and supply of local food and products. The recommendation is in alignment with those values and will enable the continuation of the market inside if required hosted by the Windsor Agricultural Society.

I support the recommendation.

Report Prepared by: \_\_\_\_\_  
Madelyn LeMay, Director of Planning and Development

Report Approved by:  \_\_\_\_\_  
Mark Phillips, Chief Administrative Officer



## WEST HANTS REGIONAL MUNICIPALITY REPORT

Information <input type="checkbox"/>	Recommendation <input checked="" type="checkbox"/>	Decision Request <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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**To:** Mayor Zebian and Members of West Hants Regional Municipality Council

**Submitted by:** \_\_\_\_\_  
Madelyn LeMay, Director, Planning and Development

**Date:** September 28, 2021

**Subject:** Civic Addressing By-law Amendment  
File # 21-16A

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### LEGISLATIVE AUTHORITY

Municipal Government Act (MGA) s.313

### RECOMMENDATION or DECISION REQUEST

Should Council wish to proceed to a Public Hearing as recommended by PAC/HAC, the following motion would be in order:

...Council gives First Reading and will proceed to a Public Hearing to amend the Civic Addressing By-law, RC-001, by adding a new clause to allow Council to change a road name without support of those owning lots on the street, in a manner substantively the same as that included as Attachment A to the report entitled Civic Addressing By-law Amendment dated September 9, 2021.

### BACKGROUND

Property <input checked="" type="checkbox"/>	Public Opinion <input type="checkbox"/>	Environment <input type="checkbox"/>	Social <input type="checkbox"/>	Economic <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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### DISCUSSION

On September 9, 2021, staff presented a recommendation report to the Planning and Heritage Advisory Committee (PAC/HAC).

PAC/HAC recommended in favour of the proposed amendment on September 9, 2021.

## NEXT STEPS

The process for this application is as follows:



## FINANCIAL IMPLICATIONS

There are no financial implications to the Municipality in relation to the filing of this report.

## ALTERNATIVES

In response to the application, Council may decide to:

- provide alternate direction such as requesting further information on a specific topic;
- approve the amendment with specific changes; or
- determine that the amendment is not required.

## APPENDIX

**Appendix A** Staff Report and Recommendation - File 21-16

## CHIEF ADMINISTRATIVE OFFICER REVIEW

I attended the PAC / HAC meeting and support the recommendation as brought forth.

Report Prepared by: \_\_\_\_\_  
Madelyn LeMay, Director of Planning and Development

Report Approved by:  \_\_\_\_\_  
Mark Phillips, Chief Administrative Officer





## WEST HANTS REGIONAL MUNICIPALITY REPORT

Information <input type="checkbox"/>	Recommendation <input checked="" type="checkbox"/>	Decision Request <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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**To:** Mayor Zebian and Members of West Hants Regional Municipality Council

**Submitted by:** \_\_\_\_\_  
Madelyn LeMay, Director, Planning and Development

**Date:** September 28, 2021

**Subject:** Request for Heritage Permit; Dimock House, 744 Highway 236, Scotch Village

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### LEGISLATIVE AUTHORITY

Heritage Property Act s. 17 & 18  
WHRM Heritage Property By-law

### RECOMMENDATION

... that Council determines that the proposed addition of a garage to the designated lot at 744 Highway 236, Scotch Village does not affect the character-defining elements listed in the Statement of Significance for the property, and that as a result, Council directs that a heritage permit be issued for the construction of the garage.

### BACKGROUND

Property <input checked="" type="checkbox"/>	Public Opinion <input type="checkbox"/>	Environment <input type="checkbox"/>	Social <input type="checkbox"/>	Economic <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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### DISCUSSION

On September 9, 2021, staff presented a recommendation report to the Planning and Heritage Advisory Committee (PAC/HAC).

PAC/HAC recommended in favour of the permit being granted.

### NEXT STEPS



The process for this application is as follows:



## **FINANCIAL IMPLICATIONS**

There are no financial implications to the requested heritage permit.

## **ALTERNATIVES**

In response to the application, Council may decide to:

- provide alternative direction such as requesting further information on a specific topic;  
or
- refuse the heritage permit citing the specific reasons for refusal.

## **APPENDICES**

**Appendix A** Staff Report and Recommendation – September 9, 2021

## **CHIEF ADMINISTRATIVE OFFICER REVIEW**

An in-depth discussion took place at the September PAC/HAC meeting. The property is well known to staff and certain members of the committee improving the understanding of the application and its impact on the existing property and its' characteristics.

I support the recommendation.

Report Prepared by: \_\_\_\_\_  
Madelyn LeMay, Director of Planning and Development

Report Approved by:   
Mark Phillips, Chief Administrative Officer



## WEST HANTS REGIONAL MUNICIPALITY REPORT

Information X	Recommendation <input type="checkbox"/>	Decision Request <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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**To:** Mayor and Members of Council

**Submitted by:** \_\_\_\_\_  
Madelyn LeMay, Director, Planning and Development

**Date:** September 28, 2021

**Subject:** File#21-14A Enhanced Notification Practices for Planning Matters

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### 1.0 LEGISLATIVE AUTHORITY

Section 205 of the Municipal Government Act.

### 2.0 BACKGROUND

As a result of the restrictions caused by the pandemic, Council on April 28, 2020 approved Enhanced Notification Practices for Planning Matters which were to be effective only until Council could hold in-person meetings (Attachment A).

West Hants Regional Council also approved the overall Public Participation program on April 28, 2020 (Attachment B).

### 3.0 DISCUSSION

#### 3.1 Present Practice

While under restrictions due to the Provincial State of Emergency, the process for review of applications for development agreements, amendments to development agreements and Municipal Planning Strategy and Land Use By-law amendments has been somewhat expanded:

- Public Information Meetings are held virtually and a comment period is provided;

- public hearings begin at one Council meeting, a comment period of about 3 weeks is provided, and the public hearing concludes at a second Council meeting with Second Reading following at the same meeting.

Since Council is meeting in Chambers and four (4) members of the public can now attend meetings, it is time to revise the practices around planning applications to reflect the reduction in restrictions. Further changes may be made as restrictions are lifted even further.

### **3.2 Revised Practices**

With pandemic restrictions changing, for the immediate future, staff will be using the following practices each of which is in accordance with the Public Participation Program:

#### **Public Information Meetings**

All Public Information Meetings (PIM) will be held immediately before PAC/HAC (whether PAC/HAC meetings are in-person, hybrid or via Zoom) and livestreamed on Facebook for all residents to see. The notice of the Public Information Meeting (published and /or mailed to neighbours) will state that the public may attend the PIM and may comment in the usual ways (email, letter, phone call) until a set date approximately two (2) weeks after the PIM.

If the meetings are either hybrid or via Zoom, the public will be encouraged to attend via Zoom rather than in person since multiple PIM's may be held on the same night and more than the permitted four (4) residents may try to attend in person. Members of the public will be required to notify staff of their intent to attend and Zoom invitations will be sent if necessary.

#### **Report and Recommendation**

The PIM report and staff recommendation report will be completed and sent to PAC/HAC with the agenda for the following month.

#### **Public Hearings**

All public hearings will be held in person in Council Chambers and completed in one meeting with Second Reading generally being held the same night; staff will attend via Zoom but up to four (4) members of the public will be able to attend the public hearing in person.

Again, the public will be encouraged to attend via Zoom since multiple public hearings are often held on one evening and more than the permitted four (4) residents may try to attend in person. Members of the public will be required to notify staff of their intent to attend and Zoom invitations will be sent as required.

#### **Notifications**

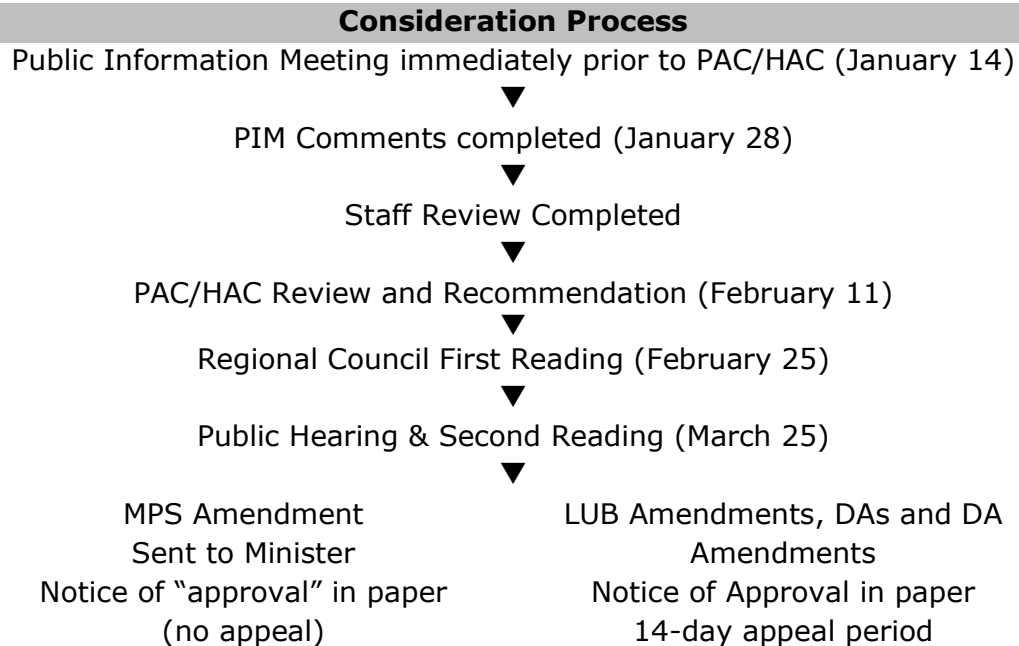
Mailed notices of a proposal will be sent only to those within 300' in Windsor and Hantsport, as required by the Land Use By-laws and notification will be sent to

owners of property within 500' in West Hants as a standard practice as it appears to have improved engagement in the more rural areas.

Signs providing notice of a proposal will still be placed on properties as a standard practice.

### **Process**

The revised process will be as shown below, with the dates in brackets being an indication of the usual time frame:



## **5.0 NEXT STEPS**

Staff will implement these changes as applications are considered. **Some applications are too far along in the process for changes now, as notices have been given.**

## **6.0 FINANCIAL IMPLICATIONS**

There are no financial implications related to the revised process.

## **7.0 ALTERNATIVES**

In response to the application, Council may:

- direct staff to change this process in any manner which meets the requirements of the Public Participation Program.

## 8.0 ATTACHMENTS

Attachment A	Enhanced Notification Practices for Planning Matters
Attachment B	Public Participation Program Policy

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### CHIEF ADMINISTRATIVE OFFICER REVIEW

I recognize the comments made by Director LeMay rationalizing the extended process carried out by the WHRM during a more restrictive phase of Covid. The department should be commended for that alteration in process that found a successful balance in allowing the public to continue to provide comments under a revised process while continuing the appropriate planning. Some municipalities struggled with this pivot and process in early stages of Covid. We did not, thanks to the Director and her staff.

Further, as noted in her report it is time to return to a more traditional process that continues to provide the required feedback time for residents but favors a more timely process that helps the WHRM respond to development as efficiently as we can.

I support the recommendation.

Report Prepared by: \_\_\_\_\_  
Madelyn LeMay, Director of Planning and Development

Report Approved by:  \_\_\_\_\_  
Mark Phillips, Chief Administrative Officer

## **ATTACHMENT A**

### **ENHANCED NOTIFICATION PRACTICES FOR PLANNING MATTERS EFFECTIVE ONLY UNTIL COUNCIL MAY HOLD IN-PERSON MEETINGS**

1. In addition to the methods of notification established in the Public Participation Program Policy, Council shall give notice of any Public Information Meeting or Public Hearing required under the Planning Act by:
  - placing a sign or signs on the site noting the dates and the contact information, including how to find out how to attend virtual meetings;
  - notifying by mail the owners of properties within 500' of the site regarding a proposed amendment to a specific property.
2. Public Information Meetings will be held at one Planning Advisory Committee (PAC) meeting and a recommendation by PAC made at the following meeting once comments have been received from the public by phone, e-mail, regular mail or in the Region's on-site mail-drop box. Comments will be conveyed to PAC with the agenda for the following meeting and read into the record at the meeting for the benefit of the public.
3. Public Hearings will be held prior to one Council meeting and adjourned until prior to the next Council meeting at a date and time specified. This would give the public the opportunity to listen to the presentation during the public hearing and submit comments or ask questions via phone, e-mail, regular mail or in the Region's on-site mail-drop box while the public hearing is still technically in session. This will avoid Council receiving any new information once a hearing has been closed and before making a decision (second reading) but allow the public to comment after a presentation has been made. Comments will be conveyed to Council with the agenda for the following meetings and read into the record at the meeting for the benefit of the public.

## **ATTACHMENT B**



### **Region of Windsor and West Hants Municipality** *Public Participation Program Policy*

#### **1. PURPOSE**

- 1.1. Section 204 of the *Municipal Government Act* requires Council to adopt a public participation program before undertaking the preparation or amendment of development agreements or planning documents.

#### **2. DEFINITIONS**

- 2.1. The terms used in this Policy have the same meaning as those found in the *Municipal Government Act*.

#### **3. COMPREHENSIVE REVIEW of PLANNING DOCUMENTS**

- 3.1. Council resolves to seek the views of the public and encourage public participation regarding any comprehensive review by developing and implementing a public engagement plan to inform the public and receive comments from the public. The contents are at the discretion of Council but may involve committees, meetings, open houses, surveys, questionnaires, and publications.

#### **4. DEVELOPMENT AGREEMENTS and AMENDMENTS to DEVELOPMENT AGREEMENTS; AMENDMENTS to PLANNING DOCUMENTS and AMENDMENTS to the LAND-USE BY-LAW**

- 4.1. Council resolves to seek the views of the public and encourage public participation regarding development agreements, amendments to development agreements, and amendments to the West Hants and/or Hantsport Planning Documents or Land Use By-law by, at a minimum:
  - holding one or more public meetings, usually hosted by the Planning Advisory Committee, prior to First Reading of any proposed development agreement or amendment;
  - advertising any public participation or information meeting regarding any proposed development agreement or amendment by notifying by mail the owners of neighbouring properties of the site of both the



- public information meeting and any public hearing regarding a proposed amendment to a specific property;
- advertising any public hearing regarding any proposed development agreement or amendment by:
  - placing a notice in a newspaper circulating in the local area;
  - notifying by mail the owners of neighbouring properties of the site of both the public information meeting and any public hearing regarding a proposed amendment to a specific property;

## 5. GENERAL

- 5.1. Councillors shall receive no new information regarding a planning matter once a public hearing is complete.
- 5.2. Any fees related to any action required by the Public Participation Program will be established by policy of Council.

## 6. REPEAL

- 6.1 The Public Participation Program Policy COPL-002.00, dated October 10, 2017, of the former Municipality of the District of West Hants and the Public Participation Program Policy dated March 26, 2019 of the former Town of Windsor are hereby repealed.

## 7. RELATED LEGISLATION, POLICIES and PROCEDURES

- 7.1. Municipal Government Act

I, Rhonda Brown, Municipal Clerk of the Region of Windsor and West Hants, Province of Nova Scotia, do hereby certify that this is a true copy of the policy as adopted by the Council of the Region of Windsor and West Hants at a meeting duly called and held on the \_\_\_\_ day of \_\_\_\_\_ (month), \_\_\_\_\_ 2020.

*(Signature of Municipal Clerk)* \_\_\_\_\_

R.N Brown, Municipal Clerk

<i>Adoption</i>	
<i>Notice to Council:</i>	<i>Date</i>
<i>Approval:</i>	<i>Date</i>
<i>Description:</i>	

**Avon River Causeway Correspondence**  
(aka Hwy. 101 Twinning, Aboiteau, Causeway, Lake Pisiquid)

<b><u>First Name</u></b>	<b><u>Last Name</u></b>	<b><u>Correspondence Date</u></b>	<b><u>Meeting / logged</u></b>
Danny	Dill	2020-06-30	2020-07-14 COTW
Quentin	Davison	2020-07-06	2020-07-14 COTW
Alyson	Bremner	2020-07-07	2020-07-14 COTW
Cecil	Rolfe	2020-07-13	2020-07-14 COTW
Pat	Porter	2020-07-13	2020-07-14 COTW
Nikki-Marie	Lloyd	2020-08-02	2020-09-08 COTW
Heather	Boylan (Martock)	2020-09-01	2020-09-08 COTW
Greg	O'Leary	2020-09-03	2020-09-08 COTW
Dr. Abby	Kirumira	2020-09-02	2020-09-08 COTW
Dean	Manning	2020-09-08	2020-09-08 COTW
David & Michelle	Rideout	2020-09-08	2020-09-08 COTW
Colleen	Walsh-Bouman	2020-09-08	2020-09-08 COTW
Nicholas & Alyson	Juurlink/Bremner (Linked Farms)	2020-09-08	2020-09-22 Council
Tasha	Rogers	2020-09-08	2020-09-22 Council
Brad	Carrigan	2020-09-23	2020-10-13 COTW
Karen	Carrigan	2020-09-23	2020-10-13 COTW
Elaine	Morehouse	2020-09-24	2020-10-13 COTW
Gary	Morehouse	2020-09-24	2020-10-13 COTW
Dr. A	Kirumira	2020-09-24	2020-10-13 COTW
Blake	Sarsfield	undated	2020-10-13 COTW
Greg	Webster	2020-10-01	2020-10-13 COTW
Bobby	Kidston	2020-10-02	2020-10-13 COTW
NSTIR	(Province of NS)	2021-01-13	2021-01-26 Council
Darren	Porter	2021-03-19	2021-03-23 Council
Rylan	Carrigan	2021-03-29	2021-04-13 COTW
Robin	Bremner-Popma (Hants Co Fed of Agri)	2021-03-29	2021-04-13 COTW
Roslyn	MacDuff	2021-03-29	2021-04-13 COTW
Darlene	Taylor	2021-03-23	2021-04-13 COTW
Daniel	Oulton	2021-03-26	2021-04-13 COTW
Karen	Carrigan	2021-03-26	2021-04-13 COTW
Marie & Andrew	Connolly	2021-03-26	2021-04-13 COTW
Robin	Thomson (Atlantic Division Canoe Kayak Canada)	2021-03-30	2021-04-13 COTW
Barbara	Hughes	2021-03-29	2021-04-13 COTW
Laura	Fisher	2021-04-01	2021-04-13 COTW

**Avon River Causeway Correspondence**  
(aka Hwy. 101 Twinning, Aboiteau, Causeway, Lake Pisiquid)

<b><u>First Name</u></b>	<b><u>Last Name</u></b>	<b><u>Correspondence Date</u></b>	<b><u>Meeting / logged</u></b>
Nikki-Marie	Lloyd	2021-04-06	2021-04-13 COTW
Ken	Donnelly (Hwy 101 Twinning CLC)	2021-04-01	2021-04-13 COTW
Darren	Porter	2021-04-06	2021-04-13 COTW
Karen	Lynch	2021-04-09	2021-04-13 COTW
Carilee	Eddy	2021-04-15	2021-04-27 Council
Nikki-Marie	Lloyd	2021-04-19	2021-04-27 Council
Sheldon	Hope	2021-04-19	2021-04-27 Council
Adrienne	Wood	2021-04-22	2021-04-27 Council
Magda	Montgomery	2021-04-22	2021-04-27 Council
Sheldon	Hope	2021-04-26	2021-04-27 Council
Andrew	Smiley	2021-05-02	2021-05-11 COTW
Carrilee	Eddy	2021-05-03	2021-05-11 COTW
Denise	Forand	2021-04-27	2021-05-11 COTW
Erin	Naugler	2021-05-02	2021-05-11 COTW
Janet	Comeau	2021-05-02	2021-05-11 COTW
Kristyn	Anderson	2021-05-02	2021-05-11 COTW
Laura	Fisher	2021-04-01	2021-05-11 COTW
Nick	Rafuse	2021-05-03	2021-05-11 COTW
Nicole	McLeod	2021-05-02	2021-05-11 COTW
Robyn	Cook	2021-05-02	2021-05-11 COTW
Sheldon	Hope	2021-05-02	2021-05-11 COTW
Tammy	Hilden	2021-05-02	2021-05-11 COTW
Tracey	Sexton	2021-05-03	2021-05-11 COTW
Ginette	Pitcher	2021-05-03	2021-05-11 COTW
Greg	Miller	2021-05-05	2021-05-11 COTW
David & Michelle	Rideout	2021-05-05	2021-05-11 COTW
Sylvia & Vince	Burgess	2021-05-05	2021-05-11 COTW
Scott (Adrienne)	Minou (Wood)	2021-05-03	2021-05-11 COTW
Barbara	Sullivan	2021-05-06	2021-05-11 COTW
Sandra & Skip	Hogan	2021-05-06	2021-05-11 COTW
Marie & Andrew	Connolly	2021-05-06	2021-05-11 COTW
Karen	Carrigan	2021-05-07	2021-05-11 COTW
Adrienne	Wood (Petition)	2021-05-07	2021-05-11 COTW
Lisa	Hines	2021-05-07	2021-05-11 COTW

**Avon River Causeway Correspondence**  
(aka Hwy. 101 Twinning, Aboiteau, Causeway, Lake Pisiquid)

<b><u>First Name</u></b>	<b><u>Last Name</u></b>	<b><u>Correspondence Date</u></b>	<b><u>Meeting / logged</u></b>
Cam	Hartley	2021-05-07	2021-05-11 COTW
Troy & Vicki	Harvie	2021-05-07	2021-05-11 COTW
Jenn	McDermott	2021-05-08	2021-05-11 COTW
Jennifer	Daniels	2021-05-09	2021-05-11 COTW
Krista & Colin	Duncan	2021-05-09	2021-05-11 COTW
Robin	Bremner-Popma	2021-05-07	2021-05-11 COTW
Roslyn (Darlene) [Barb]	MacDuff (Taylor) [Hughes]	2021-05-08	2021-05-11 COTW
Wayne & Dianne	Hines	2021-05-09	2021-05-11 COTW
Bob & Sandra	Langdon	2021-05-10	2021-05-11 COTW
Brad	Hood	2021-05-10	2021-05-11 COTW
Ed & Cathy	Kerr	2021-05-10	2021-05-11 COTW
Ann	MacArthur	2021-05-10	2021-05-11 COTW
Carole Anne	Casey	2021-05-10	2021-05-11 COTW
Sarah	MacDonald	2021-05-10	2021-05-11 COTW
Andre & Donna	Arsenault	2021-05-11	2021-05-11 COTW
Aaron	Leblanc	2021-05-12	2021-05-25 Council
Adrian	Rooney	2021-05-19	2021-05-25 Council
Adrienne	Wood	2021-05-12	2021-05-25 Council
Barb	Sullivan	2021-05-16	2021-05-25 Council
Barbara	Beck	2021-05-15	2021-05-25 Council
Bethany	Rozee	2021-05-12	2021-05-25 Council
Carl	Siler	2021-05-12	2021-05-25 Council
Carol	Bradley	2021-05-16	2021-05-25 Council
Carol	McKinley	2021-05-12	2021-05-25 Council
Chad	Pothier	2021-05-18	2021-05-25 Council
Chris	Cann	2021-05-21	2021-05-25 Council
Connie	Shay	2021-05-15	2021-05-25 Council
Conrad	Mullins	2021-05-18	2021-05-25 Council
Darlene	Taylor	2021-05-15	2021-05-25 Council
Darren	Porter	2021-05-12	2021-05-25 Council
Darren	Woods	2021-05-13	2021-05-25 Council
Dawson	Sheehy	2021-05-16	2021-05-25 Council
Deanna	Hamilton	2021-05-15	2021-05-25 Council
Debbie	Porter-Wood	2021-05-13	2021-05-25 Council
Debbie	Siler	2021-05-15	2021-05-25 Council
Denise	Forand	2021-05-13	2021-05-25 Council

**Avon River Causeway Correspondence**  
(aka Hwy. 101 Twinning, Aboiteau, Causeway, Lake Pisiquid)

<b><u>First Name</u></b>	<b><u>Last Name</u></b>	<b><u>Correspondence Date</u></b>	<b><u>Meeting / logged</u></b>
Devan	Archibald	2021-05-18	2021-05-25 Council
Diane	Ogilvie	2021-05-13	2021-05-25 Council
Erin	Naugler	2021-05-13	2021-05-25 Council
Ernest	Eddy	2021-05-15	2021-05-25 Council
Gerry	Young	2021-05-15	2021-05-25 Council
Gina	Cochrane	2021-05-12	2021-05-25 Council
Harry	Ullock	2021-05-15	2021-05-25 Council
Hope	Moon	2021-05-12	2021-05-25 Council
Ian	Shaw	2021-05-16	2021-05-25 Council
J	Davis (and J Griffith)	2021-05-17	2021-05-25 Council
Jacqueline	Farvacque	2021-05-12	2021-05-25 Council
Jayne	Murray	2021-05-16	2021-05-25 Council
Jeff	Redden	2021-05-17	2021-05-25 Council
Jennifer	Shaw	2021-05-16	2021-05-25 Council
Jocelyne	Marchand	2021-05-12	2021-05-25 Council
John & Sarah	Monette	2021-05-19	2021-05-25 Council
Jordan	Macumber	2021-05-12	2021-05-25 Council
Josette	Dugue	2021-05-12	2021-05-25 Council
Judy	Lynch	2021-05-13	2021-05-25 Council
June	Pedersen-LaPierre	2021-05-15	2021-05-25 Council
Justin	Cochrane	2021-05-12	2021-05-25 Council
Karen	Lynch	2021-05-18	2021-05-25 Council
Kathryn	Bergeron	2021-05-16	2021-05-25 Council
Kathy	Veinot	2021-05-15	2021-05-25 Council
Kyle	Pellegrini	2021-05-12	2021-05-25 Council
Lachlan	Riehl	2021-05-12	2021-05-25 Council
Laura	Stewart	2021-05-19	2021-05-25 Council
Lee	Billington	2021-05-12	2021-05-25 Council
Lee	Millett	2021-05-12	2021-05-25 Council
Lexie	Barkhouse	2021-05-12	2021-05-25 Council
Linda	Card	2021-05-11	2021-05-25 Council
Monique	Wood	2021-05-16	2021-05-25 Council
Nancy	Sheehy	2021-05-16	2021-05-25 Council
Nancy	Sheehy	2021-05-18	2021-05-25 Council
Nikki-Marie	Lloyd	2021-05-12	2021-05-25 Council
Nikki-Marie	Lloyd	2021-05-17	2021-05-25 Council

**Avon River Causeway Correspondence**  
(aka Hwy. 101 Twinning, Aboiteau, Causeway, Lake Pisiquid)

<b><u>First Name</u></b>	<b><u>Last Name</u></b>	<b><u>Correspondence Date</u></b>	<b><u>Meeting / logged</u></b>
Olena	Kharytonova	2021-05-15	2021-05-25 Council
Pat	Porter	2021-05-12	2021-05-25 Council
Paula	Lake	2021-05-12	2021-05-25 Council
Robert	Bowkett	2021-05-18	2021-05-25 Council
Roslyn	MacDuff	2021-05-15	2021-05-25 Council
Ruth	Angevine	2021-05-13	2021-05-25 Council
Scotch Village	Farm	2021-05-19	2021-05-25 Council
Shirley	Pineo	2021-05-12	2021-05-25 Council
Stephen	Brooks	2021-05-12	2021-05-25 Council
Trudy	Sheehy	2021-05-17	2021-05-25 Council
Steven	Bouman	2021-05-17	2021-05-25 Council
Sue	Sheehy	2021-05-14	2021-05-25 Council
Susie	Smith	2021-05-12	2021-05-25 Council
Tasha	Rogers	2021-05-12	2021-05-25 Council
Tera	Brommit	2021-05-17	2021-05-25 Council
Toni-Lee	Burns	2021-05-12	2021-05-25 Council
Tony	Wood	2021-05-18	2021-05-25 Council
Tracey	Sexton	2021-05-16	2021-05-25 Council
Trevor	Levy	2021-05-12	2021-05-25 Council
Tricia	Brommit	2021-05-17	2021-05-25 Council
Vince & Sylvia	Burgess	2021-05-16	2021-05-25 Council
Loretta	MacEachern	2021-05-20	2021-05-25 Council
Tim & Jennifer	Bayers	2021-05-21	2021-05-25 Council
Darlene	Taylor	2021-05-25	2021-06-08 COTW
Darlene	Taylor	2021-05-25	2021-06-08 COTW
Darren	Porter (forwarded email from/to another source)	2021-05-27	2021-06-08 COTW
Dawn	Allen	2021-05-25	2021-06-08 COTW
John	Monette	2021-05-25	2021-06-08 COTW
Richard	Dunham	2021-05-25	2021-06-08 COTW
Carrilee	Eddy	2021-06-06	2021-06-22 Council
Darlene	Taylor	2021-06-09	2021-06-22 Council
Darren	Porter	2021-06-06	2021-06-22 Council
Lisa	Bland	2021-06-08	2021-06-22 Council
Krista & Scott	Lloy	2021-06-07	2021-06-22 Council
Nancy	Sheehy	2021-06-06	2021-06-22 Council
Karen	Beazley	2021-07-06	2021-07-13 COTW

## Avon River Causeway Correspondence

(aka Hwy. 101 Twinning, Aboiteau, Causeway, Lake Pisiquid)

[illegible]

## Shelleena Thornton

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**Subject:** FW: Lake Pisiquid

**From:** darlene taylor < >

**Date:** July 26, 2021 at 10:22:18 PM ADT

**To:** Justin Trudeau <[justin.trudeau@parl.gc.ca](mailto:justin.trudeau@parl.gc.ca)>, Bernadette Jordan <[min@dfo-mpo.gc.ca](mailto:min@dfo-mpo.gc.ca)>

**Cc:** Kody Blois <[Kody.Blois@parl.gc.ca](mailto:Kody.Blois@parl.gc.ca)>, "PREMIER@novascotia.ca" <[PREMIER@novascotia.ca](mailto:PREMIER@novascotia.ca)>, Chuck Porter <[chuck@chuckporter.ca](mailto:chuck@chuckporter.ca)>, Keith Colwell <[min\\_dfa@gov.ns.ca](mailto:min_dfa@gov.ns.ca)>, Abraham Zebian <[AZebian@westhants.ca](mailto:AZebian@westhants.ca)>, Melissa Richard <[melissa@hantswestpc.com](mailto:melissa@hantswestpc.com)>, Brian Casey <[votecasey2021@gmail.com](mailto:votecasey2021@gmail.com)>, Tim Houston <[tim.houston@mail.com](mailto:tim.houston@mail.com)>, Laurie Murley <[LMurley@town.windsor.ns.ca](mailto:LMurley@town.windsor.ns.ca)>

**Subject:** Lake Pisiquid

### Caution

This email comes from an outside sender. Verify the sender and use caution with any requests, links or attachments.

Prime Minister Trudeau & Minister Bernadette Jordan,

I'm writing you both, yet again, out of concern for the safety of, and the effects on, our town, our fresh water resource and its ecosystem, our health, our farmers, our local businesses and our local recreational centres that the continued two week extensions of the Ministerial Order regarding the operations of the Avon River Aboiteau gates are either causing and/or are destroying.

We have been watching an environmental disaster happen daily since March while extensions of this order continue with no end in sight. Now we are faced with the possible failure of this aging structure, adding the fear of a flooded downtown core and residual area to the list of losses and damages that your government will be totally responsible for if the gates do fail.

Does our Liberal Federal government or DFO have any solutions in place if this Aboiteau fails due to the stress the current operation is putting on its gates?

Are there any solutions that can be put in place now to repair the daily damages that has already been done since March, or that can prevent any further risk to our community?

I understand it is both Federal and Provincial governments that must agree on a plan to satisfy requirements for flood protection, meet the concerns of other community stakeholders as well as First Nation concerns for fish passage.

I also understand that you have received letters of concern, and requests to end any further extensions of this Ministerial Order until a decision for the replacement of the existing aboiteau is reached, from all levels of our elected representatives.....

- Liberal MP, KodyBlois
- Liberal NS Priemer, Ian Rankin
- Liberal MLA for Hants West, Chuck Porter
- Liberal Min of Agriculture Kieth Colwell
- Mayor Abe Zebian and West Hants Regional Municipal Council



Yet.....you both stand firm, continuing the extensions as if their collective concerns have no merit.

I have written to you both before with never a single reply from Minister Jordan and the only reply from the PMO was to say it was a matter for the DFO.

I would appreciate the courtesy of at least an answer as to whether there is a plan in place that protects our town, it's businesses and citizens from the possibility of these old aboiteau gates failing and causing a devastating flood.

Is there a plan of any kind?

Or are you just hoping nothing too disastrous will happen before an election is called?

Darlene Taylor  
Windsor, NS  
902-798-3878



August 13, 2021

Ms. Karen Beazley, PhD  
1041 Wellington St, Unit 403  
HALIFAX NS B3H 4P5

[karen.beazley@dal.ca](mailto:karen.beazley@dal.ca)

Dear Ms. Beazley:

Thank you for your correspondence of July 15, 2021, concerning the importance of respecting the Aboriginal and Treaty rights of the Mi'kmaq in relation to the twinning of the Trans-Canada highway 101 across the Avon River in Nova Scotia.

The Government of Canada takes its responsibilities seriously and will consult and, where appropriate, accommodate the Mi'kmaq communities whose established or potential Aboriginal and Treaty rights could be affected by a decision of the Crown.

As Treaty signatories, we agree that advancing shared reconciliation objectives between the Crown and the Mi'kmaq of Nova Scotia, requires Canada not only to meet its constitutional obligations relating to the duty to consult, but, to also move beyond this legal minimum with broader engagement and partnership activities.

As you may know, each federal department is responsible for establishing and meeting any consultation obligations arising from its respective mandate. Crown-Indigenous Relations and Northern Affairs Canada's mandate includes providing advice, guidance and training to federal officials on the duty to consult and promoting a whole-of-government approach to consultation and accommodation with Indigenous Peoples.

In CIRNAC's *Guidelines for federal officials on fulfilling the Duty to Consult* (2011) – part C, <https://www.rcaanc-cirnac.gc.ca/eng/1100100014664/1609421824729>, consulting departments and agencies are provided by a step-by-step process on how to conduct a preliminary assessment of the nature and location of asserted and established Aboriginal and treaty rights and the nature and severity of any potential project impacts on those rights. The Guidelines encourage an early and meaningful two-way dialogue between federal officials and the affected rights-holders who are best placed to share this information.

.../2



Crown-Indigenous Relations and Northern Affairs Canada also facilitates Indigenous participation in federal Crown consultation processes through the negotiation of consultation protocols. On August 31, 2010, the Assembly of Nova Scotia Mi'kmaq signed a consultation agreement with the Governments of Canada and Nova Scotia. The Terms of Reference for a Mi'kmaq-Nova Scotia-Canada Consultation Process lays out the process for how the Crown will consult the Mi'kmaq when governments are making decisions which have the potential to impact asserted or established Mi'kmaq Aboriginal and Treaty rights. Nova Scotia and Canada are both represented on the Mi'kmaq-Nova Scotia-Canada Consultation Terms of Reference. Please rest assured that the Government of Canada takes this consultation agreement very seriously.

The Minister of Fisheries, Oceans and the Canadian Coast Guard is the responsible Minister for the March 2021 Order relating to the operation of the tidal gates at the Avon River and is best placed to respond to your inquiry. She is copied on this correspondence.

The Government of Canada is committed to a renewed, nation-to-nation relationship with the Mi'kmaq based on recognition of Mi'kmaq Aboriginal and treaty rights, including the right to fish in pursuit of a moderate livelihood.

Thank you for taking the time to share your concerns related to the protection of Mi'kmaq rights in Nova Scotia and for providing an opportunity to clarify Canada's approach, and the role that my department plays in supporting meaningful consultation and accommodation.

Sincerely,

 for

Heather McLean  
A/Assistant Deputy Minister  
Implementation Sector  
Crown-Indigenous Relations and Northern Affairs Canada



**HANTS COUNTY BRANCH No. 9**  
**The Royal Canadian Legion**

PO BOX 28  
WINDSOR, NS B0N 2T0  
PHONE: (902) 798-2031  
FAX: (902) 798-1126

**September 16, 2021**

Mayor Abraham Zebian  
West Hants Municipality  
Windsor, NS

Dear Mayor Zebian,

From all the members of Hants County Branch 009, Royal Canadian Legion, we would like to thank you and your counsellors for your gracious support to our recent water sprinkler replacement project.

This necessary project carried with it a hefty cost and your assistance helped relieve the financial burden to our Legion.

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Your kindness was most appreciated.

In Comradeship,

Darrell Leighton  
President  
Hants County Branch 009  
Royal Canadian Legion  
Windsor, NS

West Hants Regional Municipality  
Mayor  
Abraham Zebian  
76 Morison Drive  
Windsor, NS  
B0N2T0

902-798-8391 p  
azebian@westhants.ca

August 10, 2021

Honourable Lloyd Hines, Minister  
Transportation and Active Transportation  
PO Box 186  
Halifax, NS B3J 2N2  
Email: [TIRMIN@novascotia.ca](mailto:TIRMIN@novascotia.ca)

RE: Highway 101 Twinning over Avon River, Windsor, NS

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Dear Minister Hines,

Please accept the following letter in relation to Highway 101 Twinning over the Avon River in Windsor, Nova Scotia. The 101 Highway twinning project affecting Three Mile Plains to Falmouth will address long-standing road safety issues and is considered a priority at all levels. Reported delays in construction due to design challenges at the causeway aboiteau portion of the project is cause for concern and must be addressed with the Province in order to mitigate any further safety issues.

Council met on July 27, 2021 to discuss this matter further and made the following motion.

**With public safety as a priority, the 101- Highway twinning project (Three Mile Plains to Falmouth) should not be delayed due to uncertainty relating to the causeway aboiteau design.**

We understand there is an equal desire by the Province of Nova Scotia to proceed with this project in a timely manner as well as a shared concern about the safety of travellers. We

look forward to this matter being addressed as soon as possible and the continuation of work on this very important project.

Yours truly,

A handwritten signature in blue ink, appearing to be 'A. Zebian', with a long horizontal flourish extending to the right.

Abraham Zebian  
Mayor of West Hants Regional Municipality

cc.

Member of Parliament for Kings–Hants, Kody Blois  
MLA Hants West, The Honourable Chuck Porter  
West Hants Regional Council  
Chief Administrative Officer, Mark Phillips



## WEST HANTS REGIONAL MUNICIPALITY REPORT

Information <input type="checkbox"/>	Recommendation <input type="checkbox"/>	Decision Request <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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**To:** Council – West Hants Regional Municipality

**Submitted by:** Jim Ivey, Councillor, Windsor South, District 11

**Date:** September 24 for Sept 28, 2021

**Subject:** Capped Assessment Program (CAP)

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### LEGISLATIVE AUTHORITY

MGA

Assessment Act

### RECOMMENDATION or DECISION REQUEST

Staff be directed to provide Council via email by September 30<sup>th</sup> with previous reports undertaken on Capped Assessments for the former Municipality of the District of West Hants and the former Town of Windsor that identify the detail of the potential financial or other impacts on residents should the Capped Assessments Act in Nova Scotia be changed or removed.

Staff be directed to produce a new aggregated report(s) for Council's review at the October 12<sup>th</sup> Committee of the Whole for; Council's determination on the costs or benefits of the Capped Assessment Program in West Hants for its residents and; for Council's determination of its future intentions with regard to possible changes in the Capped Assessment program.

### BACKGROUND

Summary information on the Capped Assessment Program can be found as follows:

**Property Valuation Services Corporation ("PVSC"):** [PVSC Summary Data on CAP Program](#)

**NSFM:** [NSFM 2019 – 2022 Resolutions Summary](#)

**NSFM Seeking Input on Interim Resolutions Report:** [Report on Interim Resolutions Sept 2021](#)

The subject of the Capped Assessment Program was raised on 2 occasions between December 2020 and Feb 2021 as part of discussions on the West Hants taxation

planning and strategy. Resulting from this an overview on PVSC was provided. The subsequent plan was to have a more detailed conversation on CAP as it related to West Hants provided before or during the budget process which has not occurred. A previous report from the former West Hants Municipality was referenced in discussion but not circulated at this point.

Currently the Nova Scotia Federation of Municipalities ("NSFM") is about to hold its AGM and is seeking input on its 2019-2022 resolutions one of which includes CAP. It is important that the West Hants Council be up to speed on the potential impact for our residents. Its my opinion that no single issue has the potential to impact our residents financially on the plus and minus side as much as the discussions on CAP.

Property ✓	Public Opinion ✓	Environment <input type="checkbox"/>	Social <input type="checkbox"/>	Economic ✓	Councillor Activity <input type="checkbox"/>
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## DISCUSSION

As noted above, changes to the CAP has significant potential to impact property assessments within West Hants and throughout the province and thereby impacting residents of Nova Scotia and of greater concern our residents in West Hants.

Data provided on property assessments through a mapping program by the NSFM was circulated last December. While interesting to view, detailed data has yet to be provided, questioned, or reviewed by council.

Its my opinion we should start with reviewing our data to see what it tells us.

## NEXT STEPS

Distribution of previous reports generated for former Council(s) to current Council

Review of updated consolidated report at Committee of the Whole for October 14, 2021

## FINANCIAL IMPLICATIONS

Staff time for the reports

Resident impacts, undetermined until update reports received.

## ALTERNATIVES

None

## ATTACHMENTS

### CHIEF ADMINISTRATIVE OFFICER REVIEW

The discussion regarding the Capped Assessment Program (CAP) has been long standing and continues to be a discussion point by municipal Councils and organizations



like the Nova Scotia Municipal Administrators (NSAMA) and Nova Scotia Federation of Municipalities (NSFM). Generally, the discussion leads to one surrounding equity and fairness. Is it fair for neighboring properties or “like” properties to potentially have significant assessment differences due to real estate activity or inactivity? Is the CAP serving those it was intended to serve and is there an alternate tool? This report nor my comments fully explore the discussion.

#### NSFM Update

I have spoken with Juanita Spencer, Executive Director for NSFM and she’s providing the following update via a telephone call.

- NSFM 2019 to 2022 Priorities
  - “Remove the Property Tax CAP” remains the number one (1) priority of NSFM and will remain so into 2022. This priority is one of five (5) priorities to be carried forward.
- NSFM has been informed by the new Provincial Government that they wish to renegotiate the Municipal Service Exchange Agreement commonly referred to as the MOU between the province and municipal units. Early indications are that the agreement will be revisited in short order and will be a top priority as well requiring the dedication of the Board in coming months.

#### Recommendation Part #1

The collection and distribution of historic West Hants and Windsor reports and research.

This is achievable pending the relocation of the documents by the finance department.

I support the recommendation.

#### Recommendation Part #2

A new report will not be available by October unless Council wishes to reprioritize the strategic priorities for the current year. Ongoing day to day operations are frequently challenged by “current issues” detracting from the strategic priorities and projects scheduled for the current fiscal year. Reflecting on the urgency of this matter at this time of the year is something I ask Council to reflect on. NSFM as the large collective body representing all municipalities is the organization to best represent the views of municipalities in the province. This is a priority and it should be further considered if a dedicated effort from the WHRM will advance this priority further.

It is further the intent of the Director of Finance to have a presentation lead by PVSC in January or February of 2022 to explore the information and data requested by Councillor Ivey and specifically the impacts on the WHRM.

I support the recommendation in principle but question the impact of such an exercise at this time as it will influence WHRM goals and deliverables expected within this current year. Further, what impact will our efforts have considering this matter is currently the number one priority of NSFM and will be as indicated by the Executive Director for 2022.

Report Prepared by: \_\_\_\_\_  
Jim Ivey, Councillor Dist. 11

Report Reviewed by:  \_\_\_\_\_  
Mark Phillips, Chief Administrative Officer

Report Approved by: \_\_\_\_\_  
(Name and Title)



## WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ✓	Recommendation <input type="checkbox"/>	Decision Request ✓	Councillor Activity ✓
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**To:** Council, West Hants Regional Municipality

**Submitted by:** Jim Ivey, Councillor, Windsor South, District 11

**Date:** Sept 27, 2021 for Sept 28, 2021

**Subject:** Flooding Images and Video July 27, Sept 2, Sept 10 2021

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### LEGISLATIVE AUTHORITY

N/A

### RECOMMENDATION or DECISION REQUEST

Council direct staff to create a file for documenting flood related incidents in and around West Hants that would include digital photo and video media for future reference and decision-making purposes.

### BACKGROUND

Property ✓	Public Opinion ✓	Environment ✓	Social <input type="checkbox"/>	Economic ✓	Councillor Activity ✓
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On July 27, Sept 2 and Sept 10, 2021 Windsor and the West Hants area experienced three rainfall events resulting measurable in inland fresh water flooding which caused significant impacts on residents and businesses in and around the lower lying areas of the former town.

Although there has been some discussion on flood risks in the area it has mostly been with respect to concerns surrounding the features of the causeway resulting from the new construction activity.

Anecdotal information on flooding in the area is common. Documentation including the source and cause documentation for prior flood events as well as media reflecting the extent of flooding has been near-impossible to secure.

The images and video links in this report are intended to begin a structured process for future reference by future citizens and Councils for documented decision making both now and in the future.

## DISCUSSION

Data surrounding flooding documentation in our area is not easily found or referenced. This report was intended to be informational for the purpose of putting the images / video on the record for the most recent flood events. In compiling the report

I've concluded (and Council may or may not agree), that we should begin a more formal process for flood documentation and information gathering if it does not already exist.

[Video Link to YouTube](#) Playlist of flood videos in the Windsor area

### July 27 Flood Images:

#### Downtown / Stannus Area and Tremaine



Stannus & Victoria Park Jul 27 21



Tremaine Back Yard Jul 27 21

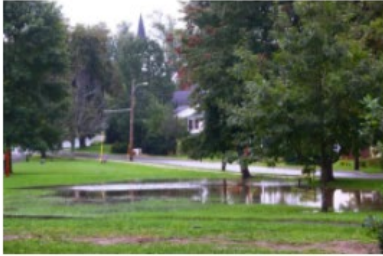


Elmcroft Park Jul 27 21

### Trecothic Trail Path Post July 27 2021



**September 2 Flood: Downtown, Stannus, King at Obrien and Victoria Area**



**Tremaine Flooding Sept 10 2021**



### **Trecothic Trail Sept 10 2010**



### **NEXT STEPS**

On approval of Council begin the process of creating and gathering current and previous / historic documentation of inland flood events in West Hants for flood prevention and decision-making purposes.

### **FINANCIAL IMPLICATIONS**



Staff time in gathering information

**ALTERNATIVES**

N/A at this time

**ATTACHMENTS**

[Video Link to YouTube](#) Playlist of flood videos in the Windsor area

**CHIEF ADMINISTRATIVE OFFICER REVIEW**

I support the recommendation.

Report Prepared by:

\_\_\_\_\_  
(Name and Title)

Report Reviewed by:



\_\_\_\_\_  
Mark Phillips, Chief Administrative Officer

Report Approved by:

\_\_\_\_\_  
(Name and Title)



## WEST HANTS REGIONAL MUNICIPALITY REPORT

Information <input type="checkbox"/>	Recommendation <input type="checkbox"/>	Decision Request <input checked="" type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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**To:** West Hants Regional Municipal Council

**Submitted by:** Jim Ivey  
Councillor, Windsor South, District 11

Sept 24, 2021 for Sept 28, 2021

**Subject:** **Tidal Water Level or Volume Needed to Improve Appearance of the Lake and Environment**

---

### LEGISLATIVE AUTHORITY

MGA

### RECOMMENDATION or DECISION REQUEST

Council directs the CAO to inquire with the Department of Agriculture and its staff who manage the gate operations at the Windsor Causeway on the Avon River, to determine the volume of additional tidal water that can be safely added to the former lake bed for the purposes of creating the appearance of a tidal lake-like condition as well as serving to bring an end to the continual dust storms which continue wreak havoc upon the lives of the citizens and livelihood of the businesses in Windsor and Falmouth in West Hants.

Further

Council directs the CAO to write Kim Marsland, MLA, Minister of Public Works with the Province of Nova Scotia, to facilitate the removal of the old automobile bridge footings and other bridge remnants that have remained with hazard and risk to local residents using the lake since the new bridge installation in 1983.

### BACKGROUND

A Ministerial Order (MO) was issued by the Department of Fisheries and Oceans (DFO) on or around March 18, 2021 which initiated a change in the flow of water in and out of the causeway gates located on the Avon River in order to be compliant with the regulations of the new Canadian Fisheries Act 2019.

With the Order implemented on or about March 25<sup>th</sup>, Council began a campaign of motions and letters addressing a host of items identified by resident and businesses with concerns about the potential loss of the lake and the change in the environment that surrounds the lake.



Included with Council's initial motion seeking information from DFO on April 27th an additional motion was proposed to quell the dust storms on the sandbars that were visible in the lake.

April 27 Council meeting Minutes:

It was MOVED by Councillors Ivey and Murley that the Mayor and CAO reach out to the Department of Agriculture representative to see if an opportunity may exist to cover the sand that currently sits on the sandbars causing the dust storms.

Motion Defeated. Mayor Zebian, Deputy Mayor Morton and Councillors S. McLean, M. McLean, B. Morton, Francis, Sherman and Hartt voted nay. motion was:

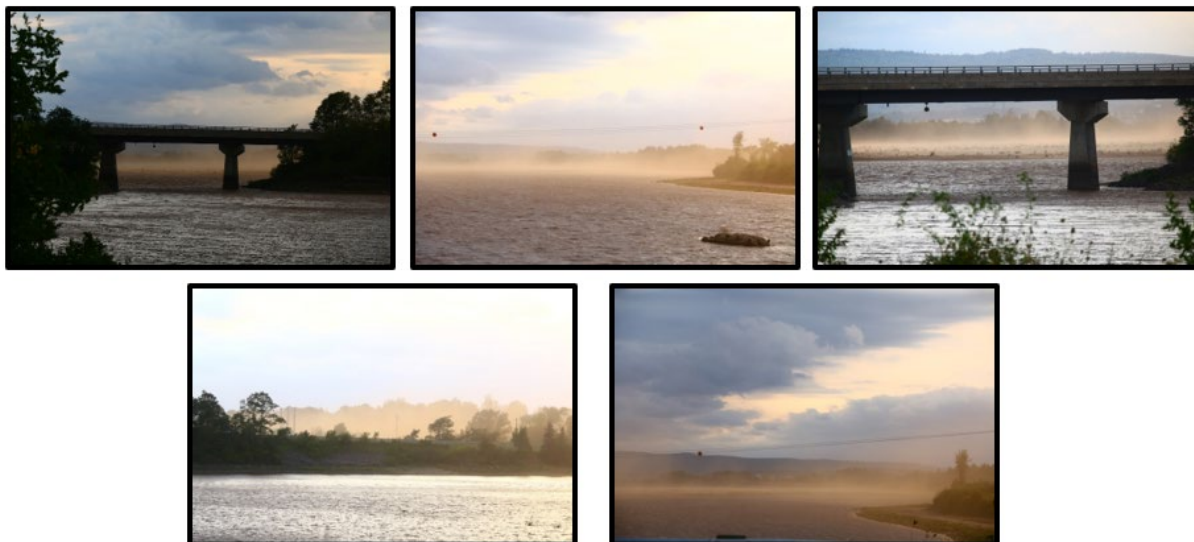
The motion proposed today is one of public interest, health and safety and is not the same motion put forward at the end of April.

The motion proposed today **does not seek to determine IF** an opportunity exists to add more water **but to determine how much of an opportunity** exists to add more water and is it sufficient to create a lake-like appearance with the additional benefit of ceasing the dust storms.

The motion is not seeking to execute on the information gathered but to initiate the process to secure the information to subsequently make a decision if a solution of more water is possible.

Residents in the area have suffered enough. It is long past time to alleviate this situation and move on solutions to mitigate the issue.

**Dust Storm Images September 2021**



## Empty Lake Images



## Hazardous Lake Images



Property ✓	Public Opinion ✓	Environment ✓	Social ✓	Economic□	Councillor Activity □
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## NEXT STEPS

Contact Department of Agriculture and its causeway gate staff as suggested in the motion to inquire and determine the volume of additional tidal water that can be safely added during the opening of the gates on the inbound tide to create a more lake-like appearance and to end the dust bowl events around the river basin.

**FINANCIAL IMPLICATIONS**

None anticipated at this time.

**ALTERNATIVES**

Hydroseed the river basin and sand bars

**ATTACHMENTS****CHIEF ADMINISTRATIVE OFFICER REVIEW**

(For use if report is from a Councillor. CAO to provide additional comments on background, department/staff responsible and workload, budget, options, preferred strategy. State "Not Applicable" if report is from staff which already incorporates CAO review.)

Report Prepared by: \_\_\_\_\_  
(Name and Title)

Report Reviewed by: \_\_\_\_\_  
(Name and Title)

Report Approved by: \_\_\_\_\_  
(Name and Title)



## WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ✓	Recommendation <input type="checkbox"/>	Decision Request <input type="checkbox"/>	Councillor Activity ✓
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**To:** Council, West Hants Regional Municipality

**Submitted by:** Jim Ivey, Councillor Windsor South, District 11

**Date:** Sept 27, 2021

**Subject:** Truth and Reconciliation - Honor the Day

---

### LEGISLATIVE AUTHORITY

N/A

### RECOMMENDATION or DECISION REQUEST

To be Determined

### BACKGROUND

(Please note the background of this report is directly sourced from and with credit to the Federal Government's site which can be found at: [National Day for Truth and Reconciliation](#))

#### National Day for Truth and Reconciliation

September 30, 2021 marks the first National Day for Truth and Reconciliation.

The day honours the lost children and Survivors of residential schools, their families and communities. Public commemoration of the tragic and painful history and ongoing impacts of residential schools is a vital component of the reconciliation process.

The creation of this federal statutory holiday was through legislative amendments made by Parliament. On June 3, 2021, Bill C-5, *An Act to amend the Bills of Exchange Act, the Interpretation Act and the Canada Labour Code* (National Day for Truth and Reconciliation) received Royal Assent.

**Wear Orange**

Both the National Day for Truth and Reconciliation and [Orange Shirt Day](#) take place on September 30.

Orange Shirt Day is an Indigenous-led grassroots commemorative day that honours the children who survived Indian Residential Schools and remembers those who did not. This day relates to the experience of Phyllis Webstad, a Northern Secwepemc (Shuswap) from the Stswecem'c Xgat'tem First Nation, on her first day of school, where she arrived dressed in a new orange shirt, which was taken from her. It is now a symbol of the stripping away of culture, freedom and self-esteem experienced by Indigenous children over generations.



On September 30, we encourage all Canadians to wear orange to raise awareness of the very tragic legacy of residential schools, and to honour the thousands of Survivors.

### **Truth and Reconciliation Commission and its Calls to Action**

There were 140 federally run Indian Residential Schools which operated in Canada between 1831 and 1998. The last school closed only 23 years ago. Survivors advocated for recognition and reparations and demanded accountability for the lasting legacy of harms caused. These efforts culminated in:

- the [Indian Residential Schools Settlement Agreement](#)
- [apologies by the government](#)
- the establishment of the [Truth and Reconciliation Commission](#)
- the creation of the [National Centre for Truth and Reconciliation](#)

The Truth and Reconciliation Commission ran from 2008 to 2015 and provided those directly or indirectly affected by the legacy of the Indian Residential Schools policy with an opportunity to share their stories and experiences. The National Centre for Truth and Reconciliation has become the permanent archive for the statements, documents and other materials the Commission gathered, and its [library and collections](#) are the foundation for ongoing learning and research.

The Commission [released its final report](#) detailing 94 calls to action. The National Day for Truth and Reconciliation is a direct response to Call to Action 80, which called for a federal statutory day of commemoration.

### **To learn more**

This National Day for Truth and Reconciliation, explore the rich and diverse cultures, voices, experiences and stories of the First Nations, Inuit, and Métis peoples. Whether you want to read, listen, watch, or try, [start your learning journey](#) today.

**Source:** <https://www.canada.ca/en/canadian-heritage/campaigns/national-day-truth-reconciliation.html>

Property <input type="checkbox"/>	Public Opinion <input checked="" type="checkbox"/>	Environment <input type="checkbox"/>	Social <input checked="" type="checkbox"/>	Economic <input type="checkbox"/>	Councillor Activity <input checked="" type="checkbox"/>
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## DISCUSSION

As we think about how to honor the day with reflection on Truth and Reconciliation, we might consider how some of the following could serve to add to honoring the day:

1. Although we acknowledge before Council begins that *we are in Mi'kma'ki, the ancestral and unceded territory of the Mi'kmaq People; we might also consider providing clarity on what being on the 'unceded territory' means.*

*In doing this we might include with the statement or in print that, this territory is covered by the "Treaties of Peace and Friendship" which Mi'kmaq Wəlastəkwiyik (Maliseet), and Passamaquoddy Peoples first signed with the British Crown in 1726. The treaties did not deal with the surrender of lands and resources but in fact, recognized Mi'kmaq and Wəlastəkwiyik (Maliseet) title and established the rules for what was to be an ongoing relationship between nations.*

*Through our own media including our website and social media we might utilize our available space or within our 'about' section for social media pages our statement of acknowledgement.*

2. *Link to Peace and Friendship treaties information can be shared through our website and social media. [UBC](#) appears to be an excellent source*
3. **94 Calls to Action** were issued as part of the Truth and Reconciliation report issued in 2015. These might also be added to our website and shared through our website directly or through sharing of other social media accounts such as the accounts for "We are Treaty People" or "APTN" Aboriginal Peoples Television Network.
4. APTN has a list of opportunities to Honour the Day through its website specifically related to the national day of Truth and Reconciliation: Streaming programs at: <https://www.aptn.ca/ndtr/> activities to highlight awareness and education with downloadable assets for print or electronic use at: <https://www.aptn.ca/ndtr/downloads/>
5. For those of us and others who might not have First Nations people in our groups of friends or spheres of influence we might consider following social media circles such as APTN or "We are all Treaty People", "Mi'kmaq History Month" and other similar sites.
6. Local place names within West Hants have all become Anglicized. A new sign installed in Avondale has included Pisiqid on its signage for "verger communautaire" – community orchard. We might consider a similar approach with English, First Nation and French names as part of our new sign branding program.

This list of initiatives are some relatively easy items to do or to share that can serve to guide awareness or education within our areas of influence.



As we approach Canada's nationally recognized day for Truth and Reconciliation, we as a municipal body may wish to consider and reflect on how we can ensure the thinking which lead to the mistakes of our nation's collective past do not repeat themselves.

(Source Credits and References are provided via links within this document. I think it is important to specifically highlight the site for the National Center for Truth and Reconciliation at <https://nctr.ca/> )

Please note for credit as well that many of the suggestions in the "Discussion" list have resulted from conversations with members of many communities and individuals and they deserve thanks for their suggestions and conversation.

"Honor the Day" sourced from APTN.ca

#### **NEXT STEPS**

To be determined by Council

#### **FINANCIAL IMPLICATIONS**

Subject to actions or next steps decided

#### **ALTERNATIVES**

N/A

#### **ATTACHMENTS**

(List any attachment to the report, if anything.)

#### **CHIEF ADMINISTRATIVE OFFICER REVIEW**

I commend Councillor Ivey for the preparation of this report and his ongoing commitment and reminder of the important role the municipality shares with its residents in reflecting on our personal and organizational understanding and actions associated with "truth and reconciliation".

The initiatives noted in the discussion section are very appropriate and achievable.

Report Prepared by: \_\_\_\_\_  
(Name and Title)

Report Reviewed by:  \_\_\_\_\_  
Mark Phillips, Chief Administrative Officer

Report Approved by: \_\_\_\_\_

(Name and Title)





## WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ✓	Recommendation <input type="checkbox"/>	Decision Request ✓	Councillor Activity ✓
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**To:** Council, West Hants Regional Municipality

**Submitted by:** Mark Phillips, Chief Administrative Officer

**Date:** September 28, 2021

**Subject:** Hants Classic Heritage Beef Show - \$1,500 Grant 2021/22

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### RECOMMENDATION or DECISION REQUEST

Council direct staff to forward the grant amount of \$1,500.00 to support the 2021 Classic Heritage Beef Show to the Windsor Agricultural Society.

### BACKGROUND

Property	Public Opinion	Environment	Social <input type="checkbox"/>	Economic ✓	Councillor Activity ✓
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In the Spring of 2021 the WHRM Council approved the grant allocation of \$1,500.00 to the organizers of the Classic Heritage Beef Show with the conditions that the organizers become incorporated under the Registry of Joint Stocks.

At the time of the show (September 2021) the organizers were not registered and the grant was not released. Organizers have reached out to see if the WHRM would consider forwarding the funds to the Windsor Agricultural Society to then be forwarded to the Beef Show.

### DISCUSSION

A motion of Council is required to award a grant to a community organization as described in the Municipal, Government Act. The organizers recognize they did not fulfill their requirements due to various reasons but ask for this consideration as they do depend on the funding. Staff wish to express the importance of the registration process and should Council choose to approve the recommendation that the indirect release of

the funds to the Ag Society be done so on a "one time" basis. Staff to recognize the importance of the event but must insist on proper process.

#### **FINANCIAL IMPLICATIONS**

No further financial implications as the grant for \$1,500.00 was previously approved.

#### **ALTERNATIVES**

Do not approve the recommendation.

#### **ATTACHMENTS**

N/A

#### **CHIEF ADMINISTRATIVE OFFICER REVIEW**

I support the recommendation.

Report Prepared by:



Mark Phillips, Chief Administrative Officer



**WEST HANTS REGIONAL MUNICIPALITY  
RECOMMENDATION REPORT**

**To:** Council

**Submitted by:** \_\_\_\_\_  
Mark Phillips, Chief Administrative Officer

**Date:** September 28, 2021

**Subject:** Redesignation and Rezoning Application – Former Windsor Pool Site, 65 Fort Edward Street, Windsor

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**LEGISLATION**

Municipal Government Act, Chapter 18 of the Acts of 1998

Allows for sale of land at market value when property is not needed - MGA 50 (5)(b)

Allows for sale of land at less than market value to non-profit – MGA 51

\*\*\*Note: If Market value is above \$10,000 and want to sell below market value then a Public Hearing is required.

**RECOMMENDATION**

That the Chief Administrative Officer be directed to submit an application to the Planning and Development Department for the redesignation and concurrent rezoning of the property formerly known as the Windsor Outdoor Pool Site, 65 Fort Edward Street, Windsor NS (PID # 45059797), from the current designation of Community Use to Residential and the current zoning of Open Space (OS) to Two Unit Residential (R2).

**BACKGROUND**

Both 36 and 65 Fort Edward Street properties have been deemed surplus by motion of Council in the Spring of 2021.

The 36 Fort Edward Street / parking lot (PID 45059805) is zoned Two Unit Residential (R2). 65 Fort Edward Street / former pool site (PID 45059797) is currently zoned Open Space (OS). The R2 zoning permits single and two unit dwellings as of right. The maximum height is 3 stories as of right.

## **DISCUSSION**

The purpose of this report is for staff to recommend to Council how to best transition the property for future use as Two Unit Residential (R2) or perhaps a development with greater density. The future of the properties are unknown at this time, but it is anticipated that they will transition to a residential use. The “as-of-right “ uses noted above will be permitted should a buyer have a concept complying with current land use requirements.

The recommendation to rezone the property as a Two Unit Residential (R2) zone provides for a broad scope of opportunities for future use and permits the application of a Development Agreement allowing up to eleven (11) units per parcel pending DA review and approval. Alternative zoning consideration such as commercial is not permitted and an application as an alternative residential zone would not provide a benefit as all multi-unit residential developments in Windsor require a DA at the current time.

It is important to note that through this report the CAO is an agent of the Municipality and the Municipality is the property owner. Additionally, the Municipality and Council is the eventual decision maker as it relates to the rezoning process. In this case the CAO and Municipality must adhere to the same procedural process and policies regarding rezoning as a private property must. Council’s role as a decision-maker will be called upon at the completion of the process as the rezoning application is administered through the PAC /HAC.

## **FINANCIAL IMPLICATIONS**

N/A

## **ALTERNATIVES**

- Council may elect to leave the property zoned as Open Space (OS)
- Council may elect to rezone the property to a different zoning designation.

## **ATTACHMENTS**

- Former Windsor Outdoor Pool Site – May 11, 2021

Report Prepared by:



Mark Phillips, Chief Administrative Officer

Report Reviewed by:

\_\_\_\_\_

Deanna Snair, Executive Assistant

Report Reviewed by:

\_\_\_\_\_

Alex Dunphy, Planner



WEST HANTS REGIONAL MUNICIPALITY  
P.O. Box 3000, 76 Morison Drive, Windsor, NS B0N 2T0  
Planning and Development Department  
Phone: 902-798-8391 Ext. 115 Fax: 902-798-8553

APPLICATION FORM FOR MUNICIPAL PLANNING STRATEGY or  
LAND USE BY-LAW AMENDMENT or DEVELOPMENT AGREEMENT

Please note: All information provided is public once a report is prepared.


APPLICANT INFORMATION		OWNER INFORMATION (if different from applicant)	
Name: <i>Mark Phillips, CAO West Hants Regional Municipality</i>		Name:	
Mailing address: <i>76 Morison Dr</i>		Mailing address:	
Phone: <i>902-798-8391</i>		Phone:	
Email: <i>mphilips@westhants.ca</i>		Email:	
PROPERTY INFORMATION		ADDITIONAL MATERIAL PROVIDED	
Civic Address: <i>65 Fort Edward Street, Windsor</i>		Site Plan	
PID: <i>45059797</i>		Plan of Subdivision	
Present Use of Property: <i>Vacant land. former Windsor Outdoor pool site.</i>		Building plans & elevations of any proposed structure	
Intended Use of Property: <i>R2 Residential Development</i>		Legal description	
EXPLANATION OF PROPOSAL			
Please provide a short explanation of your proposal (please use an additional sheet if needed) <i>The current designation does not permit development. Residential development is needed and anticipated.</i>			
SIGNATURE (If you are not the property owner please attach a signed Authorization Statement)			
By signing this application, I affirm that the facts set forth are true and complete			
Name <i>Mark Phillips</i>		Signature <i>[Signature]</i> Date <i>27/09/2021</i>	
For office use only: Type of Application			
DA/Substantive Amendment		Non-Substantive Amendment	
LUB Text		MPS Text	
LUB Map		MPS Map	
Heritage Property: _____ Yes _____ No		Non-Profit Organization: _____ Yes _____ No	
Fee: \$ _____		Date Paid: ____/____/____ Receipt #: _____	



## WEST HANTS REGIONAL MUNICIPALITY REPORT

Information <input type="checkbox"/>	Recommendation <input checked="" type="checkbox"/>	Decision Request <input checked="" type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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**To:** WHRM Committee of the Whole

**Submitted by:**   
Mark Phillips, Chief Administrative Officer

**Date:** May 11, 2021

**Subject:** Former Windsor Outdoor Pool Site – Surplus Lands

---

### LEGISLATIVE AUTHORITY

Municipal Government Act, Chapter 18 of the Acts of 1998

Allows for sale of land at market value when property is not needed - MGA 50 (5)(b)

Allows for sale of land at less than market value to non-profit – MGA 51

\*\*\*Note: If Market value is above \$10,000 and want to sell below market value then a Public Hearing is required.

### RECOMMENDATION or DECISION REQUEST

...That Committee of the Whole recommend to Council that PIDs 45059797 and 45059805 formerly known as the Windsor Outdoor Pool site, 65 Fort Edward Street, Windsor, NS, be deemed as surplus property and that the properties be listed for sale at market value.

### BACKGROUND

Property <input checked="" type="checkbox"/>	Public Opinion <input type="checkbox"/>	Environment <input type="checkbox"/>	Social <input type="checkbox"/>	Economic <input checked="" type="checkbox"/>	Councillor Activity <input type="checkbox"/>
--	---	--------------------------------------	---------------------------------	--	--

The former Windsor Outdoor Pool site has not been used for municipal purposes since it's operations closed in 2006. The new Hants Aquatic Centre opened in 2007 accommodating aquatic activities for the former Town and Municipality. The lower parking area has been used for municipal parking since that time until present day.

In the years 2010 and 2013 the Town pursued development opportunities with a developer which did not translate into a sale of the lands or a development.

In the fall of 2018, an exercise was undertaken by the former Town to explore a project in association with the 100th Anniversary of the Jewish Legion and its' historic connectivity to the Fort Edward Site. This project was not pursued by the Town. Parks Canada has further confirmed they do not have a desire to explore the project or development of the site in relation to Parks Canada.

Prior to consolidation in the fall of 2019 the former Town finished its' remediation of the site and removed all remaining structures including concrete and hard surfaces. All wood and steel were disposed of. The concrete was broken into 6-12" pieces, voids were filled with 6-12" rock and top dressed with type 1 gravel. The sites today would appear as gravel parking lots with areas that are grassed or in a natural state.

### **Property Information**

Details regarding the two noted properties:

**#1 PID 45059797 (upper pool site)**

Square Area:	28,600 Sq.Ft.
Assessed Value:	\$121,000
Zoning:	Open Space (OS) designated Community Use (CU)

**#2 PID 45059805 (lower parking lot area)**

Square Area:	16,800 Sq.Ft.
Assessed Value:	\$47,500
Zoning:	Two Unit Residential (R2) designated Residential (R )

### **2019 Appraisals**

**#1 PID 45059797 (upper pool site)**

Square Area:	28,600 Sq.Ft.	
Appraised Value:	"as is"	\$43,000
	"improved" (current conditions)	<b>\$191,000</b>

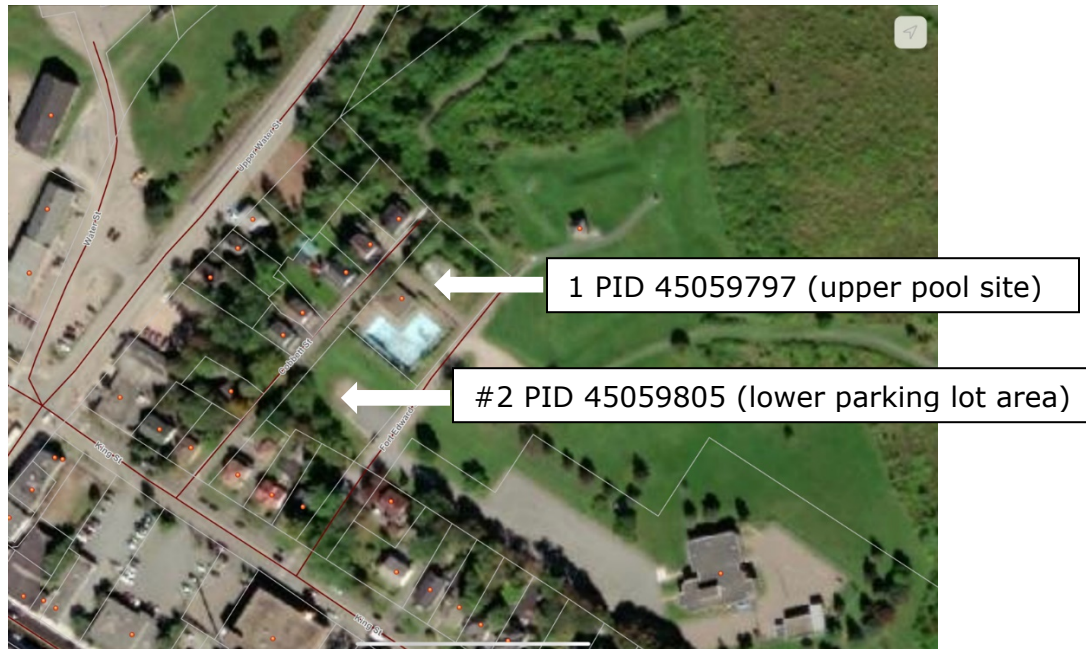
**#2 PID 45059805 (lower parking lot area)**

Square Area:	16,800 Sq.Ft.	
Appraised Value:		<b>\$112,000</b>

Independent appraisals were carried out for both properties in 2019. Both have been provided for Council's reference. As noted above the upper pool site was assigned two values, "as is" and "improved". The site has been improved due to the demolition and restoration of the site and the values listed should be used pending rezoning.

An additional appraisal from 2010 is attached to the report for reference. The noted values were established presuming the sites would be remediated and that the lands would be ready for R4 development. The report concluded the estimated final value to be \$192,950 R4 for a combined 45,400 Sq.Ft. and reflect the values of the day (2010).





## DISCUSSION

As the Regional Municipality moves forward it must evaluate the use of municipal properties and buildings to ensure the highest level of efficiencies are achieved in relation to costs and revenue generation. The properties are surplus and not used for municipal purposes, with the exception, of the lower parcel which currently accommodates municipal parking. Alternative parking for the municipality is being discussed with neighboring federal lands should municipal operations be consolidated at the 100 King Street location. Alternatively, the municipality reserves the right to retain one, both or part of the properties later should we decide they are of value to operations by taking the property(s) off the market.

In addition to the comments noted above, it is felt that the property(s) can help to serve as an economic stimulus to the core business area with what is assumed at this time as potential resident development. Housing needs are high, and it is hoped that positioning these parcels on the market will help to respond to those demands within our community.

## NEXT STEPS

*Pending Council approval of the recommendation.*

1. Municipal staff inventory all documentation associated with the properties.
2. Survey the properties.
3. Geotechnical assessment being carried out - \$11,200.
4. Consider a rezoning request to facilitate its best future use.
5. Assign a Commercial Realtor.

## **FINANCIAL IMPLICATIONS**

- Geotechnical costs \$11,200 plus HST.

## **ALTERNATIVES**

1. Council may elect to retain the property or part of the properties for Municipal purposes.
2. Council may elect to retain the property and lease the space at market value to a 3<sup>rd</sup> party.
3. Council may elect to retain the property and lease the space below market value to a non-profit or charitable organization.
4. Council may elect to donate the property to a non-profit or charitable organization.

## **ATTACHMENTS**

1. 36 Fort Edward Street Appraisal – May 28, 2019
2. 65 Fort Edward Street Appraisal – May 28, 2019
3. Appraisal of 65 and PID 45059805 Fort Edward Street Windsor, NS – September 16, 2010. Provided by: Jacklyn Parker Appraisals Limited.

## **CHIEF ADMINISTRATIVE OFFICER REVIEW**

N/A – Report submitted by Chief Administrative Officer

Report Prepared by: \_\_\_\_\_



Mark Phillips, Chief Administrative Officer

Report Reviewed by: \_\_\_\_\_

Carlee Rochon, Director of Finance

Report Reviewed by: \_\_\_\_\_

Todd Richard, Director of Public Works

*COMPLETE SUMMARY APPRAISAL  
ON THE SUBJECT PROPERTY  
VACANT LAND LOCATED AT  
36 FORT EDWARD STREET, WINDSOR,  
HANTS COUNTY, NOVA SCOTIA*

*Carmquin Property Appraisals Ltd.  
30 Peter Street  
New Minas, NS  
B4N 3C4*

*Submitted to: Town of Windsor  
Submitted by: Carmel O'Quinn, AACI, P.App  
Accredited Appraiser  
NSREAA - Registration #243730*

# Carmquin Property Appraisals Ltd.

30 Peter Street  
New Minas, NS B4N 3L8  
Tel: 902-681-5868  
Cell: 902-679-8176  
coqc@ns.sympatico.ca

Carmel O'Quinn, AACI, P.App  
Accredited Appraiser  
NSREAA - Registration # 243730

*Tuesday, May 28, 2019*

*Town of Windsor  
100 King Street  
Windsor, NS B0N 2T0*

*Attn: Mr. Louis Coutinho, Chief Administrative Officer*

***RE: Complete Summary Appraisal Report on the Subject Vacant Land,  
PID # 45059805, Located at 36 Fort Edward Street, Windsor,  
Hants County, Nova Scotia***

*Dear Mr. Coutinho:*

*In accordance with your request, the Appraiser has carried out an inspection and completed an appraisal for the purpose of estimating the fair Market Value of the above referenced property for possible sale purposes.*

*Market Value is as defined on Page IX of this report and in the attached Contingent and Limiting Conditions.*

*This appraisal is being completed for the purpose of expressing our opinion of the Market Value of the freehold interest in the subject property, VACANT land only, located at 36 Fort Edward Street, Windsor, as of the effective date, April 25, 2019.*

*The subject site is located on the north side of Fort Edward Street and the south side of Corbett Street in the Town of Windsor and is in close proximity to downtown commercial area. The site is basically rectangular shaped and level at Fort Edward Street and slopes slightly upward from Corbett Street and has an area of approximately 16,800 square foot.*

*At the date of the inspection the site was covered with gravel and natural vegetation. The site area has been obtained from the GIS Land Registry and is approximate and subject to legal verification.*

Tuesday, May 28, 2019

Town of Windsor

Attn: Mr. Louis Coutinho, Chief Administrative Officer

As a result of the investigation and analysis, it is the Appraiser's opinion that the Market Value of the subject property, land only, subject to there being no contamination of any kind to the site, to legal verification of the site and to the Contingent and Limiting Conditions listed in this Report, as of the effective date, April 25, 2019 is as follows:

**\$ 112,000.00**  
**ONE HUNDRED AND TWELVE THOUSAND DOLLARS**

We trust that the enclosed Report is satisfactory and should you require any further clarification or additional information, please contact the undersigned.

Respectfully submitted,

A handwritten signature in red ink, appearing to read "Carmel O'Quinn".

Carmel O'Quinn, AACI, P.App  
Accredited Appraiser  
NSREEA Registration # 243730

**PHOTOGRAPHS OF SUBJECT PROPERTY**



**VIEW OF SUBJECT SITE LOOKING TOWARD CORBETT STREET**



**VIEW OF SUBJECT SITE LOOKING TOWARD FORT EDWARD STREET**

*PHOTOGRAPHS OF SUBJECT PROPERTY*



*STREET VIEW LOOKING EAST ON FORT EDWARD STREET*

**CARMQUIN PROPERTY APPRAISALS LTD.  
CONTINGENT AND LIMITING CONDITIONS  
(To be attached to all Appraisal Reports)**  
-----

1. This Report is prepared at the request of Mr. Louis Coutinho, Chief Administrative Officer with the Town of Windsor, Nova Scotia for the purpose of an Appraisal as of April 25, 2019 to assist in estimating the Market Value of the subject Vacant Parcel of Land, for possible sale purposes. It is not reasonable for any person, other than the Town of Windsor, to rely upon this Appraisal without first obtaining written authorization from the client and this Appraiser. There may be qualifications, assumptions or Limiting Conditions in addition to those set out below relevant to that persons' identity or their intended use.

The Report is prepared on the assumption that no other person will rely on it for any other purpose and that all liability to all such persons is denied.

2. While expert in appraisal matters, the Author is not qualified and does not purport to give legal advice. It is assumed that:
  - a) The site information as obtained from the GIS Land Registry is accurate and is subject to legal verification;
  - b) title to the property is good and marketable;
  - c) there are no encroachments, encumbrances, restrictions, leases or covenants that would in any way affect the valuation, except as expressly noted herein;
  - d) the existing use is a legally conforming use which may be continued by any purchaser from the existing owner;
  - e) rights of way, easements or encroachments over other real property and leases or other covenants noted herein are legally enforceable;
  - f) the final estimate of value of the subject site is subject to there being no contamination of any kind to the site and to legal verification of the site area and measurements.

Because these assumptions have been made, no investigation, legal or otherwise, has been undertaken which would verify these assumptions except as expressly noted herein.

3. The Author is not a qualified surveyor. Sketches, drawings, diagrams, photographs, etc., are presented in this Report for the limited purpose of illustration and are not to be relied upon in themselves.



**Carmquin Property Appraisals Ltd.****Contingent of Limiting Conditions (cont'd)**

4. The Author is not qualified to give engineering advice. It is assumed that there are no patent or latent defects in the subject improvement, that no objectionable materials such as Urea Formaldehyde Foam are present and that it is structurally sound in need of no immediate repairs, unless expressly noted within this Report. No soil tests have been done, nor have tests been done of the heating, plumbing, electrical, elevator, or other systems and for the purpose of this Report, they are assumed to be in good working order.
5. No investigation has been undertaken with the local zoning office, the fire department, the building inspector, the health department or any other government regulatory agency unless such investigations are expressly represented to have been made in this Report. The subject property must comply with such government regulations and if it does not comply, non-compliance may affect the Market Value. To be certain of compliance, further investigations may be necessary.
6. Neither possession of this Report nor a copy of it carries with it the right of publication. All copyright is reserved to the Author and is considered confidential by the Author and their client. It shall not be disclosed, quoted from or referred to, in whole or in part, or published in any manner, without the express written consent of the Appraiser. This is subject only to confidential review by the APPRAISAL INSTITUTE OF CANADA as provided in the Code of Ethics, Standards of Professional Conduct and Standards of Professional Practice of the Appraisal Institute of Canada.
7. Market data has been obtained, in part, from documents at the land registry office, or as reported by the Real Estate Board. As well as using such documented and generally reliable evidence of market transactions, it was also necessary to rely on hearsay evidence. Except as noted herein, a reasonable attempt has been made to verify all such information.
8. Because market conditions, including economic, social and political factors, change rapidly and, on occasion, without warning, the Market Value expressed as of the date of the Appraisal cannot be relied upon to estimate the Market Value as of any other date except with further advice of the Appraiser.

**Carmquin Property Appraisals Ltd.**  
**Contingent of Limiting Conditions (cont'd)**

9. The compensation for services rendered in this Report does not include a fee for court preparation or court appearance, which must be negotiated separately. However, neither this nor any other of these Limiting Conditions is an attempt to limit the use that might be made of this Report should it properly become evidence in a judicial proceeding. In such a case, it is acknowledged that it is the judicial body which will decide the use of the Report which best services the administration of justice.
10. It is assumed that there is no contamination to the subject site. While no evidence of contamination was noted, should any contaminants exist, the final estimate of value contained in this Report may not reflect the actual value of the property.
11. It is imperative that the reader or any other interested party be aware that the Appraiser did not inspect the premises for fire detection or smoke detection systems, or for the presence of Carbon Monoxide Detectors, nor did the Appraiser inspect the condition of such equipment, if present. The Appraiser takes no responsibility whatsoever for the lack of, or condition of, detection devices that may be located on the premises, nor does the Appraiser warrant compliance in any manner of such equipment, if present.
12. The Appraiser is not qualified to comment on environmental issues that may affect the market value of the property appraised, including but not limited to pollution or contamination of land, buildings, water, groundwater or air. Unless expressly stated, the property is assumed to be free and clear of pollutants and contaminants, including, but not limited to moulds or mildews or the conditions that might give rise to other, and in compliance with all regulatory environmental requirements, government or otherwise and free of any environmental conditions, past, present or future, that might affect the market value of the property appraised. If the party relying on this report requires information about environmental issues, than that party is cautioned to retain an expert qualified in such issues. We expressly deny any legal liability relating to the effect of environmental issues on the market value of the property appraised.

**Carmquin Property Appraisals Ltd.**  
**Contingent of Limiting Conditions (cont'd)**

13. **DEFINITION OF MARKET VALUE:** The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:
- a) Buyer and seller are typically motivated;
  - b) both parties are well informed or well advised and acting in what they consider their own best interest;
  - c) a reasonable time is allowed for exposure in the open market;
  - d) payment is made in terms of cash in Canadian dollars or in terms of comparable financial arrangements comparable thereto; and
  - e) the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.

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### **PART III - ADDENDA**

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***PART I - PREFACE***

**SUMMARY OF SALIENT FACTS AND IMPORTANT CONCLUSIONS**

**ADDRESS:** 36 Fort Edward Street, Windsor,  
Hants County, Nova Scotia.

**TYPE:** Vacant Parcel of Land. PID # 45059805

**SITE AREA:** 16,800 square feet

**ASSESSED OWNERS:** Town of Windsor

**ZONING:** R2- Two Unit Residential

**HIGHEST AND BEST USE:** Development in conjunction with the  
present zoning for R2- Two Unit  
Residential Zone

**ASSESSED VALUE:** \$ 36,700.00 - 2019  
Account # 04657101

**TAXES:** Tax Exempt

**EFFECTIVE DATE OF APPRAISAL:** April 25. 2019

**DATE OF INSPECTION:** April 25, 2019

**FINAL ESTIMATE OF VALUE:** \$ 112,000.00  
(land only)

## **TERMS OF REFERENCE**

### **SCOPE OF THE APPRAISAL**

The scope of the Appraisal encompasses the necessary research and analysis to prepare a Report in accordance with the intended use, the Canadian Standards of Professional Practice of the Appraisal Institute of Canada and the Canadian Uniform Standards of Professional Practices of the Appraisal Foundation. In regard to the subject property, this involves the following steps:

1. The subject site was inspected by the Appraiser on April 25, 2019 during working hours and photographs were taken at that time. Information concerning the property was obtained from the client.
2. Regional and neighbourhood data were based on information available on the Province and Communities in the Appraisal Library of Carmquin Property Appraisals Ltd. This information was originally obtained from the Town of Windsor, Municipality of the County of Hants and from other sources. The zoning, assessment and services for the subject were obtained from the Town Planning Department, office Zoning Maps and Regulations Library and from the applicable government and municipal departments.
3. The data concerning the area of the subject site was obtained from the GIS Land Registry and is subject to legal verification.
4. In estimating the Highest and Best Use for the subject property, an analysis was made of data compiled in the three steps noted above. In addition, a market analysis was completed of similar type land to help determine the best use of the property. The zoning for the subject site is R2- Two Unit Residential and the property is located in an area of Windsor which is developed with the Fort Edward Park and single family and multi unit residential dwellings.
5. In developing the approach to value, the market data utilized was taken from the data collected in the office files of Carmquin Property Appraisals Ltd., and from other appraisers, realtors, property managers or other persons familiar with the subject market.
6. After assembling and analyzing the data defined in this Scope of the Appraisal, a final estimate of Market Value was made.

**TERMS OF REFERENCE (cont'd)****PURPOSE OF THE APPRAISAL**

The purpose of this Appraisal is to provide the client with an estimate of the Market Value of the subject vacant land located at 36 Fort Edward Street, Hants County, Nova Scotia, as at the effective date, April 25, 2019.

**FUNCTION OF THE APPRAISAL**

The function of the Appraisal is to provide the client with an estimate of the Market Value of the subject vacant land located at 36 Fort Edward Street, Hants County, Nova Scotia, as at the effective date, April 25, 2019 for possible sale purposes.

**PROPERTY RIGHTS APPRAISED**

The property rights being appraised are those of Fee Simple Interest, which is free and clear of all encumbrances, charges or restrictions other than those mentioned in this Report.

**DEFINITION OF MARKET VALUE**

Market Value is defined as the most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

1. buyer and seller are typically motivated;
2. both parties are well informed or well advised and acting in what they consider their own best interest;
3. a reasonable time is allowed for exposure in the open market;
4. payment is made in terms of cash in Canadian dollars or in terms of comparable financial arrangements comparable thereto; and
5. the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.



**TERMS OF REFERENCE (cont'd)****HISTORY OF THE SUBJECT PROPERTY**

The subject land has been vacant for a few years and is owned by the Town of Windsor who is presently looking at selling the property. It is understood that the subject has not been listed on the market or privately over the years.

**MORTGAGES, LIENS OR ENCUMBRANCES**

The property is being appraised on the basis that there are no mortgages, liens or other encumbrances claimed against them.

**EFFECTIVE DATE OF THE APPRAISAL**

The subject property was inspected on April 25, 2019 and this is considered to be the effective date of the Appraisal.

**EXPOSURE TIME**

The value is estimated as if the subject property was to be exposed for sale on the open market in a manner typical for this class of property for at least six to twelve months prior to the effective date of the listing.

### **REGIONAL DATA**

The subject property is located in the Town of Windsor, Hants County, Nova Scotia. The Province of Nova Scotia, located on the Eastern Atlantic Seaboard, is actually a peninsula connected to the remainder of Canada by 27 kilometres of land. The Island of Cape Breton is joined to mainland Nova Scotia by the Canso Causeway.

The Province has a total area of 54,400 square kilometres and according to information obtained from Statistics Canada 2006 Census, Nova Scotia has a population of 913,462 residents. The Province is divided into five geographical regions, with Halifax as the capital. One of these geographical regions, where the subject property is located, is the Annapolis Valley, which is world famous as a farming area. The climate is suited for the growing of all types of vegetables and produce, with apples being the speciality. (Refer to Schedule "A" - Area Map in the Addenda)

### **NEIGHBOURHOOD DATA**

The subject site is located on the north side of Fort Albert Street and the south side of Corbett Street and in close proximity to the downtown commercial area in Windsor and close to all amenities. Over the past few years the town has expanded its commercial development onto Wentworth Road with an Atlantic Super Store, a second Tim Hortons, MacDonalds and a new Super 8 Motel. Windsor is the county seat for Hants County and has a population of approximately 3,700. The Town of Windsor has a Business Development Centre which was formed to assist residents of the area in establishing a library of relevant data related to the establishment of small businesses in the Windsor-West Hants area. The twinning of the 101 Highway to the Cities of Halifax and Dartmouth has made the town more attractive for new residents and businesses. There are two Industrial Parks in the town, The Town of Windsor Industrial Park and the Windsor-West Hants Industrial Park. Both parks are centrally located, easily accessible and provide serviced lots and mini-malls for new and existing buildings. Opportunities are available in various sections of the Town for further commercial development which lies in close proximity to downtown commercial area. (Refer to Schedule "B" - Neighbourhood Map in the Addenda)

**SITE DESCRIPTION**

The subject site, PID # 45059805, is located on the north side of Fort Edward Street and the south side of Corbett Street in the Town of Windsor. The site is basically rectangular shaped and level at street grade at Fort Edward Street and slopes upward slightly at the rear from Corbett Street. The site measurements were not available to the Appraiser and the site area of approximately 16,800 square feet has been obtained from the GIS Land Registry and is subject to legal verification. The site is gravelled over and has natural vegetation.

**SUBJECT SITE**

### **ASSESSMENT AND TAXES**

From information obtained from the Town of Windsor, Assessment Department it is understood that the subject property is assessed on the 2019 Assessment Roll as at base date January 1, 2018 at account # 04657101 for \$ 36,700.00.

From information obtained from the Town of Windsor, Tax Department it is understood that the subject site is owned by the town and is tax exempt.

### **SERVICES**

From information obtained from the Town of Windsor, it is understood that the subject property is located in an area which is serviced with town water and sewer.

Other services provided to the site include paved roads, street lights, snow removal, garbage collection and police and fire protection.

### **ZONING**

From information obtained from the Town of Windsor Planning Department, it is understood that the subject site is located in an area of the town which is zoned R2- Two Unit Residential, which permits the development of two unit dwellings. (Refer to Schedule "C" Zoning Map and Schedule "D" Zoning Regulations in the Addenda)

#### **R2- TWO UNIT RESIDENTIAL**

##### **Permitted Uses**

9.1 The following uses shall be permitted in the Two Unit Residential (R2)

- . Uses permitted in the R-1 Zone subject to the R-1 zone requirements.
- . Converted dwellings to a maximum of two dwelling units
- . Two Unit dwellings

***PART II - ANALYSIS AND CONCLUSIONS***

### **HIGHEST AND BEST USE**

Highest and Best Use, as defined by the Appraisal Institute of Canada, is "that use which is most likely to produce the greatest net return in monies or amenities over a given period of time". Net return may involve net income as from an investment property, or satisfaction and amenities as from a residential property.

Many factors and appraisal principals become a consideration in determining the Highest and Best Use of a property such as current zoning, physical characteristics, neighbourhood trends, present usage and profitability.

The concept of Highest and Best Use recognizes that land can change over a period of time and the optimum use of a site is determined by need or demand at any given period of time. Other factors of consideration in the analysis of Highest and Best Use are government regulations, supply and demand, productivity, contribution, competition and public opinion.

The subject approximate 16,800 square foot vacant site located on Fort Edward Street and on Corbett street at the rear. The site is located in an area of Windsor which is zoned R2- Two Unit Residential and the area is developed with residential dwellings and the Fort Edward Park and is in close proximity to the downtown commercial area.

Based on the information provided, and after giving consideration to all factors concerned, it is the Appraiser's opinion that the Highest and Best Use of the subject site is for development in conjunction with the present R2- zoning for duplex dwellings.

### **SITE VALUATION AND ANALYSIS**

In estimating the value of a site, there are four basic methods of valuation depending upon the type and use of the site, as well as the available market evidence. These methods include:

1. The Comparative Sales Method
2. The Abstraction Method
3. The Development Method
4. Land Residual Method

The usual method of valuing undeveloped land, and the most used, is the Comparative Sales Method, which is the comparison with similarly zoned land in an area similar to the subject or in another comparable area, which has recently sold on the market. Information is also analysed from the past record of sales of similar sites and from land which is presently listed for sale on the Real Estate Market.

This Comparative Sales Approach is based on the idea that an informed purchaser would pay no more for a site than the cost of acquiring one of equal attractiveness and utility on the open market.

In estimating the value of the subject vacant parcel of land, the Appraiser has considered all relevant factors including:

1. Size, location and zoning.
2. Supply and demand of vacant land.
3. Recent sales and asking prices of vacant land similar to the subject.
4. Other factors considered necessary.

In analysing the Market Value of the subject site, an investigation was undertaken of the real estate market for recent sales of residential and other land in the subject and similar areas.

The following sales were acquired and analysed, and adjustments were applied to reflect the variations from the subject site. These sales are thought to give the greatest degree of comparability to the subject.

**DIRECT COMPARISON APPROACH**

*In valuing a site by the Direct Comparison Approach, land values are obtained from land sales which have occurred in the subject or similar areas. Adjustments are applied to the comparables to reflect variations from the subject for site size, location, zoning, utility and topography.*

**LAND SALES**

<b>Item</b>	<b>Subject</b>	<b>Comparable 1</b>	<b>Comparable 2</b>
Address	36 Fort Edward Street, Street, Windsor	54 Woodworth Road, Kentville	245-247 Victoria Street, Windsor
Vendor or Purchaser	PID # 45059805	PID # 55048698	PID # 45056690
Sale Price	N/A	\$19,500.00	\$40,000.00
Sale Date	N/A	05/03/2019	10/24/2018
Lot Size	16,800 sf	10,010 sf	6,000 sf
Sale Price per SF	N/A	\$1.95	6.67
Zoning	R2- Two Unit Residential	Residential	R2- Two Unit Residential
Comments	The subject vacant site has an area of approximately 16,800 square feet and has road frontage on Fort Edward Street and Corbett Street in the Town of Windsor	Comp One is a lot in Kentville in a residential zoned area and in close proximity to the Valley Regional Hospital. Inferior in location and lot size.	Comp Two is a R2-zoned lot in Windsor area. Similar in location and zoning and inferior in lot size.



**THE COST APPROACH (cont'd)****LAND SALES (cont'd)**

<b>Item</b>	<b>Comparable 3</b>	<b>Comparable 4</b>	<b>Comparable 5</b>
Address	Unit # 3 Town Road, Falmouth	Lot 14 Woodman Road, Wolfville	7270 Highway # 1, Coldbrook
Vendor or Purchaser	PID # 45339116	PID # 55509608	Not available
Sale Price	\$62,000.00	\$127,000.00	\$405,000.00
Sale Date	09/19/2018	09/11/2018	06/21/ 2016
Lot Size	16,592 sf	19,716 sf	265,298 sf
Sale Price per SF	\$3.74	\$6.44	\$1.53
Zoning	Residential	Residential	C1- Highway Commercial
Comments	Comp Three is a residential lot in Falmouth which lies in close proximity to the west of Windsor. Inferior in location and similar in lot size.	Comp Four is a large lot in an executive subdivision in the Town of Wolfville in close proximity to the downtown area. Similar in location and utility and superior in lot size.	Comp Five is a large acreage site in Coldbrook zoned Commercial which was improved with a hotel. There was a fire in the hotel which burnt down and only a small one storey section of the building remained and is to be removed from the site. Inferior in location and superior in lot size and zoning.

**THE COST APPROACH (cont'd)****SUMMARY**

Of the land sales analyzed, those listed are the most recent and offer the best indication of value for the subject site. The value ranges of the five sales analyzed before adjustments range from \$ 1.53 to \$ 6.67 per square foot. Comparable Two is located in the subject area and is zoned r2- Two Unit Residential and is most comparable to the subject. The subject has road frontage on two streets and is also zoned r20 Two Unit Residential and can be developed with two unit dwellings. Adjustments were applied to the comparables to reflect the differences from the subject for site size, location, utility and zoning. It is the Appraiser's opinion that the price per square foot most applicable to the subject site is \$ 6.67.

**LAND VALUE: (rounded)**

16,800 square feet X \$ 6.67/sq.ft. = \$ 112,000.00

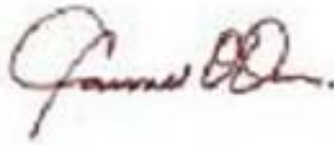
**RECONCILIATION AND FINAL ESTIMATE OF VALUE**

The indicated value of the subject vacant site has been obtained from comparable vacant land sales in the subject and surrounding areas. Based on the data analysed in this Report, it is the Appraiser's opinion, subject to the Contingent and Limiting Conditions listed in this Report, to there being no contamination of any kind to the subject site, and to legal verification of the site area and measurements, that the final estimate of value as of the effective date, April 25, 2019 is:

**\$ 112,000.00**

**ONE HUNDRED AND TWELVE THOUSAND DOLLARS**

*Respectfully submitted*

A handwritten signature in dark ink, appearing to read "Carmel O'Quinn", is centered on the page.

Carmel O'Quinn, AACI, P.App  
Accredited Appraiser  
NSREEA Registration # 243730

**CERTIFICATE OF APPRAISER**

The Appraiser hereby certifies:

- 1) That I personally inspected the subject property of this Complete Summary Appraisal Report on April 25, 2019 and that I have investigated and considered all factors affecting its value.
- 2) That I have no past, present or contemplated interest in the property that is the subject of this Report and that I have no personal interest or bias with respect to the parties involved.
- 3) That to the best of my knowledge and belief, all of the information reported in this Report is true and factual data has been verified where possible.
- 4) That this Complete Summary Appraisal Report has been made and the Report rendered in conformance with the Code of Ethics and the Canadian Uniform Standards of Professional Appraisal Practices of the Appraisal Institute of Canada.
- 5) That this Report is subject only to the Contingent and Limiting Conditions, whether such conditions are imposed by the terms of this assignment or by the Appraiser.
- 6) That neither the terms of employment nor the compensation from rendering my opinion in this Report are contingent upon value found, nor anything else than the delivery of this Report.
- 7) No one provided professional assistance to the person signing this Report.
- 8) The Appraiser has fulfilled the requirements of the Appraisal Institute of Canada Continuing Professional Development program for designated members and is recertified.

**CERTIFICATE OF APPRAISER (cont'd)**

- 9) That the Final Estimate of Value of the subject vacant land, as defined elsewhere in this Report, as of the effective date, April 25, 2019, subject to there being no contamination of any kind to site, to verification of the site area and to the Contingent and Limiting Conditions listed in this Report, is \$ 112,000.00



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Carmel O'Quinn, AACI, P.App  
Accredited Appraiser  
NSREEA Registration # 243730

**QUALIFICATIONS OF CARMEL O'QUINN, AACI, P.App****BACKGROUND**

Born in Grand Falls, Newfoundland and educated at Windsor, Grand Falls and St. John's, Newfoundland.

**EDUCATION AND PROFESSIONAL BACKGROUND**

College of Trades and Technology, St. John's, Newfoundland, Diploma in Appraisal/Assessment Technology.

Memorial University of Newfoundland, St. John's, Newfoundland, five credits.

Appraisal Institute of Canada, Accredited Appraiser Canadian Institute, AACI plus the P.App. for Professional Appraiser

**APPRAISAL EXPERIENCE**

Presently self-employed as Carmquin Property Appraisals in New Minas, Nova Scotia as a Fee Appraiser having a wide variety of appraisal functions. Appraisals of commercial, industrial, agricultural and residential properties. Experience in other functions in the appraisal of properties such as consultancy, research work, compiling comparable data banks for commercial and residential appraisals, market analysis, computer programming and data entry.

Appraisals completed of large commercial office buildings, retail stores, industrial buildings, nursing homes, motels, hotels, agricultural properties, Fish Plants, Wharves and Vacant Land. V.Day valuations for Capital Tax, Replacement Costs and Actual Cash Value for insurance purposes, appraisals for mortgage financing for sales and refinancing, estate sales, assessment appeals and various other functions.

Several years appraisal experience working as Appraisal Manager with MacKay Real Estate Limited, Appraisal Division, Wolfville, Nova Scotia and other appraisal companies in St. John's, Newfoundland, in commercial and residential work, as well as self-employed for two years with own appraisal company in Newfoundland.

**CORPORATE MEMBERSHIP**

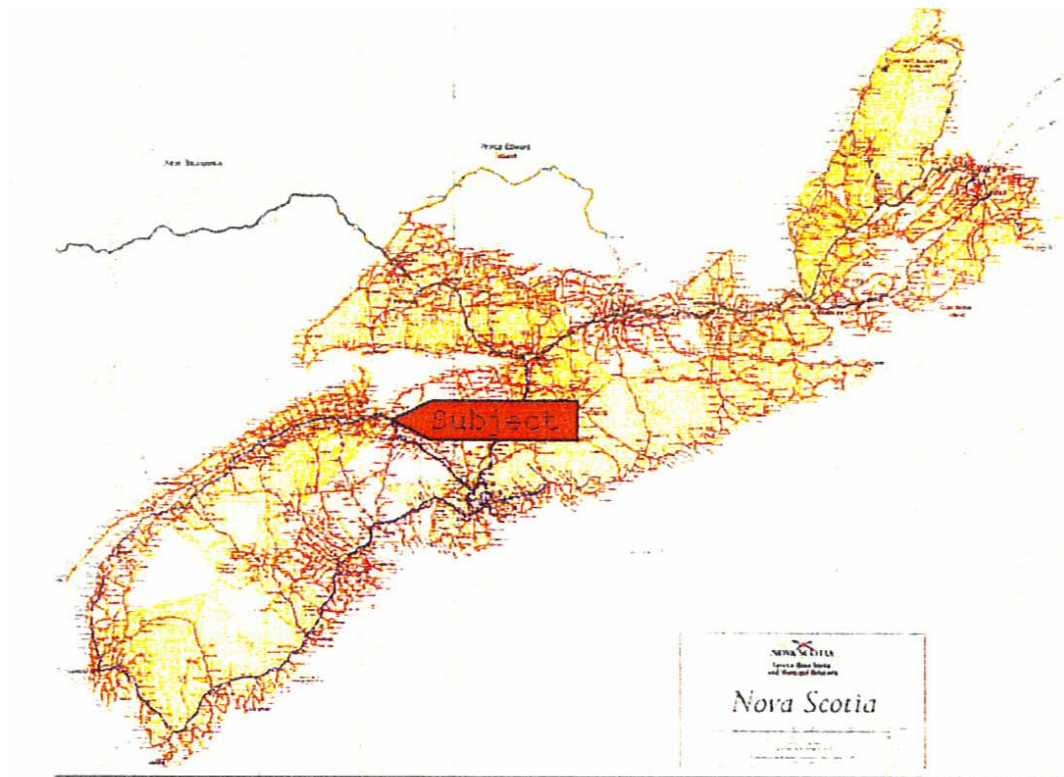
Member, Appraisal Institute of Canada, Winnipeg.

**EXPERT WITNESS**

Supreme Court of Canada

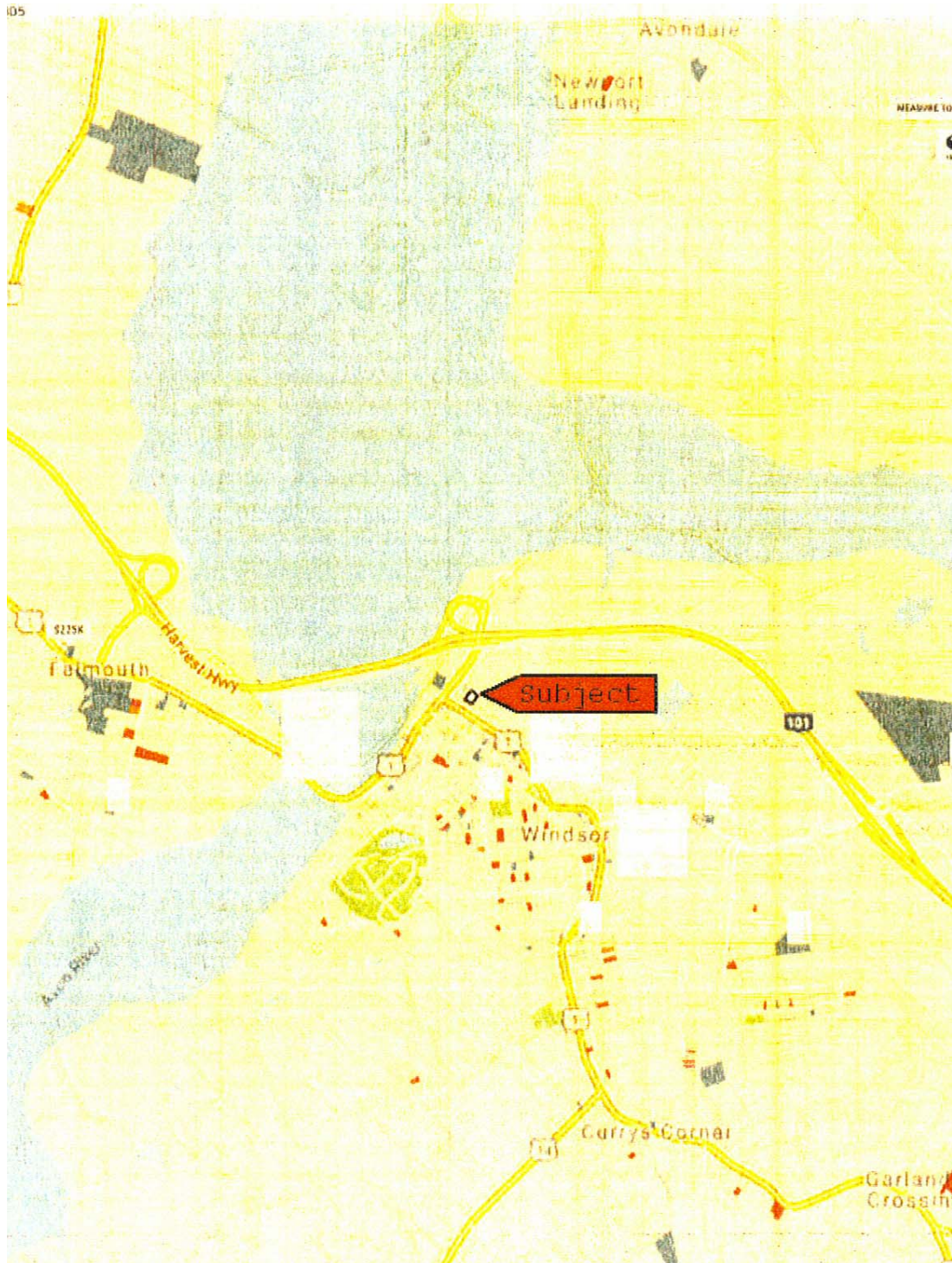
*PART III - ADDENDA*

**SCHEDULE "A" - AREA MAP**

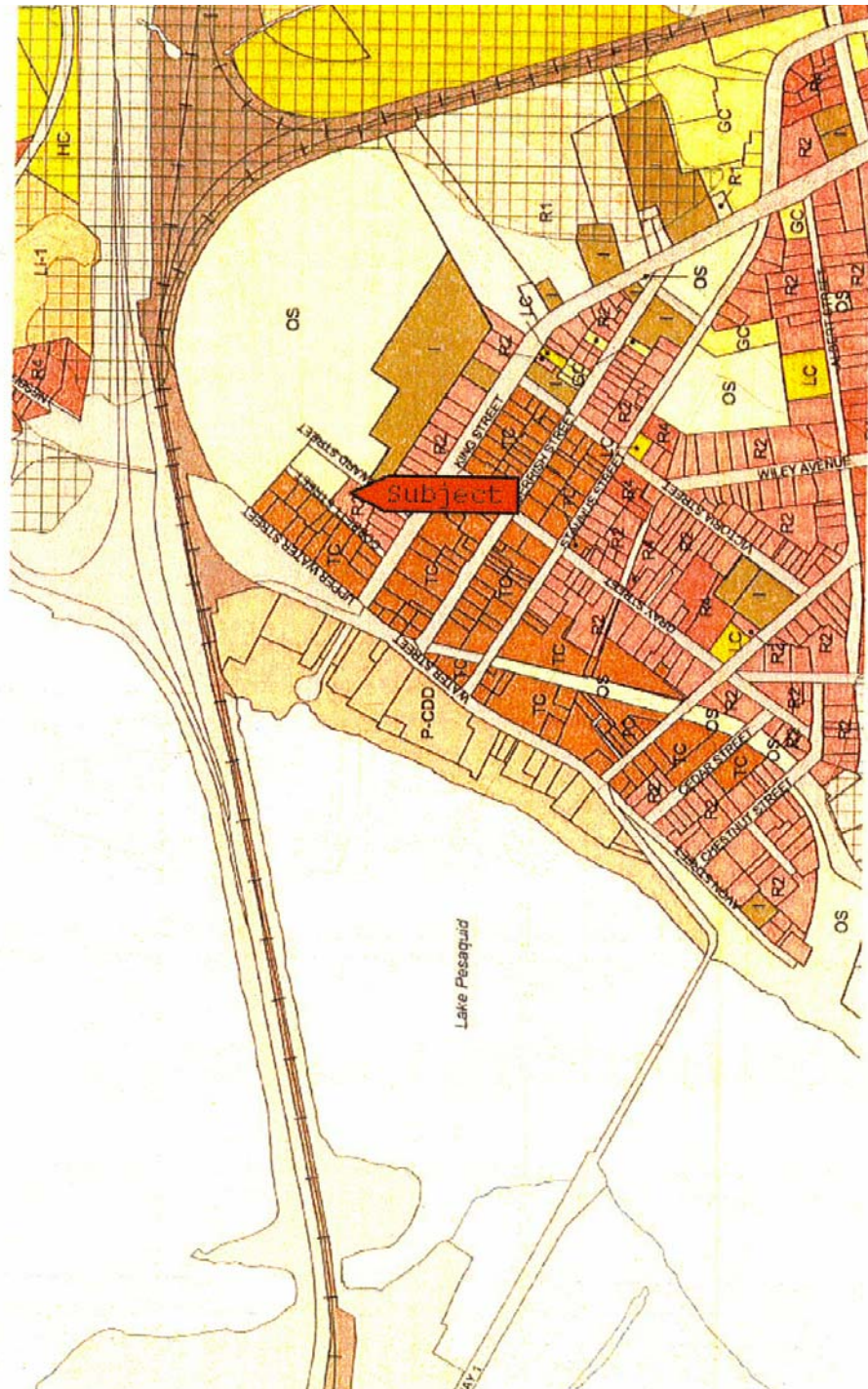




**SCHEDULE "B" - NEIGHBOURHOOD MAP**



**SCHEDULE "C" - ZONING MAP**





## ***SCHEDULE "D" - ZONING REGULATIONS***

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### **9.0 TWO UNIT RESIDENTIAL (R-2)**

#### **Permitted Uses**

9.1 The following uses shall be permitted in the Two Unit Residential (R-2) zone:

- Uses permitted in the R-1 zone subject to the R-1 zone requirements
- Converted dwellings to a maximum of two dwelling units
- Two unit dwellings

#### **R-2 Zone General Requirements**

*(Amendment WLUB 10-01 Effective July 16, 2010)*

9.2 (a) In the R-2 zone, no development permit shall be issued except in conformity with the following:

Minimum lot area	3,500 ft <sup>2</sup> /unit (325.15 m <sup>2</sup> /unit)
Minimum lot frontage	35 ft/unit (10.67 m/unit)
Minimum front yard	25 ft (7.62 m)
Minimum rear yard	25 ft (7.62 m)
Minimum side yard	10 ft (3.05 m)
Maximum height of main building	35 ft (10.67 m)
Maximum height of accessory building	15 ft (4.57 m)

- (b) **Exception for PID 45336773** - Notwithstanding section 9.2(a), the minimum side yard requirement for an approximately 13.6 acre parcel of land owned by Brison Developments Limited, Payzant Drive (PID 45336773) shall be 8 ft (2.44 m).

#### **Converted Dwellings - Special Requirements**

9.3 In addition to all other regulations, the following provisions shall apply to converted dwellings in the R-2 zone:

- (a) all conversions shall be limited to one additional dwelling unit;
- (b) no alterations shall change the roof line or increase the height of the existing dwelling except for the addition of dormers or structures necessary for public safety;
- (c) no alteration shall be undertaken which will extend into the front or side yard of the lot;
- (d) lot coverage of the entire structure shall be limited to 50 percent; and
- (e) parking shall be provided as required in Section 5.25 in the side or rear yard of the lot.

***SCHEDULE "D" - ZONING REGULATIONS (CONT'D)***

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**Services Required**

- 9.4 A development permit shall not be issued for a new residential dwelling of two or more units in the R-2 zone where the proposed development is not serviced with Town water and sewer.

**Subdivision of Semi-detached Units**

- 9.5 Semi-detached dwelling units located on an approved water and sewer serviced lot may be subdivided into lots provided each dwelling unit has separate service connections and provided all applicable provisions of the Town of Windsor Subdivision By-law and this By-law are met. No side yard shall be required along the common lot boundary dividing a semi-detached dwelling.

*COMPLETE SUMMARY APPRAISAL  
ON THE SUBJECT PROPERTY  
VACANT LAND LOCATED AT  
65 FORT EDWARD STREET, WINDSOR,  
HANTS COUNTY, NOVA SCOTIA*

*Carmquin Property Appraisals Ltd.  
30 Peter Street  
New Minas, NS  
B4N 3C4*

*Submitted to: Town of Windsor  
Submitted by: Carmel O'Quinn, AACI, P.App  
Accredited Appraiser  
NSREAA - Registration #243730*

# Carmquin Property Appraisals Ltd.

30 Peter Street  
New Minas, NS B4N 3L8  
Tel: 902-681-5868  
Cell: 902-679-8176  
coqc@ns.sympatico.ca

Carmel O'Quinn, AACI, P.App  
Accredited Appraiser  
NSREAA - Registration # 243730

Wednesday, May 29, 2019

Town of Windsor  
100 King Street  
Windsor, NS B0N 2T0

Attn: Mr. Louis Coutinho, Chief Administrative Officer

**RE: Complete Summary Appraisal Report on the Subject Vacant Land,  
PID # 45059805, Located at 65 Fort Edward Street, Windsor,  
Hants County, Nova Scotia**

Dear Mr. Coutinho:

In accordance with your request, the Appraiser has carried out an inspection and completed an appraisal for the purpose of estimating the fair Market Value of the above referenced property for possible sale purposes.

Market Value is as defined on Page IX of this report and in the attached Contingent and Limiting Conditions.

This appraisal is being completed for the purpose of expressing our opinion of the Market Value of the freehold interest in the subject property, vacant land "As Is" and "As Improved" located at 65 Fort Edward Street, Windsor, as of the effective date, April 25, 2019.

The subject site is located on the north side of Fort Edward Street and the south side of Corbett Street in the Town of Windsor and is in close proximity to downtown commercial area. The site is basically rectangular shaped and level at Fort Edward Street and slopes slightly upward from Corbett Street and has an area of approximately 28,600 square foot. The site is the location of the old swimming pool for the Town of Windsor.

At the date of the inspection the site was enclosed with a chain link fence and a concrete in-ground pool with approximately 4,788 square feet and various depths from four to eight feet, is still in place and is empty and has been vacant for ten or more years. There is also a concrete block building with approximately 1,645 square feet on the site which was used as a pool house and is also vacant.

Wednesday, May 29, 2019

Town of Windsor

Attn: Mr. Louis Coutinho, Chief Administrative Officer

There is a gravel driveway at the east side of the site. The fence was locked at the inspection date and the pool and pool house were measured on the exterior of the fence and the measurements are approximate and subject to legal verification. The site area has been obtained from the GIS Land Registry and is approximate and subject to legal verification.

The client has requested the value of the subject site in its "As Is" condition with the vacant in-ground pool and pool house and the "As Improved" value with the pool removed and the site filled in and ready for development. As a result of the investigation and analysis, it is the Appraiser's opinion that the Market Value of the subject property, "As Is" and "As Improved" as vacant land only, subject to there being no contamination of any kind to the site, to legal verification of the site and to the Contingent and Limiting Conditions listed in this Report, as of the effective date, April 25, 2019 is as follows:

"AS IMPROVED"	= \$ 191,000.00
"AS IS "	= \$ 43,000.00

We trust that the enclosed Report is satisfactory and should you require any further clarification or additional information, please contact the undersigned.

Respectfully submitted,



Carmel O'Quinn, AACI, P.App  
Accredited Appraiser  
NSREEA Registration # 243730

**PHOTOGRAPHS OF SUBJECT PROPERTY**



**VIEW OF SUBJECT SITE LOOKING TOWARD CORBETT STREET**



**VIEW OF SUBJECT SITE LOOKING TOWARD FORT EDWARD STREET**



*PHOTOGRAPHS OF SUBJECT PROPERTY*



*STREET VIEW LOOKING EAST ON FORT EDWARD STREET*



*STREET VIEW LOOKING WEST ON FORT EDWARD STREET*



**CARMQUIN PROPERTY APPRAISALS LTD.  
CONTINGENT AND LIMITING CONDITIONS  
(To be attached to all Appraisal Reports)**  
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1. This Report is prepared at the request of Mr. Louis Coutinho, Chief Administrative Officer with the Town of Windsor, Nova Scotia for the purpose of an Appraisal as of April 25, 2019 to assist in estimating the Market Value of the subject property "As Is" and "As Improved" as vacant land, for possible sale purposes. It is not reasonable for any person, other than the Town of Windsor, to rely upon this Appraisal without first obtaining written authorization from the client and this Appraiser. There may be qualifications, assumptions or Limiting Conditions in addition to those set out below relevant to that persons' identity or their intended use.

The Report is prepared on the assumption that no other person will rely on it for any other purpose and that all liability to all such persons is denied.

2. While expert in appraisal matters, the Author is not qualified and does not purport to give legal advice. It is assumed that:
  - a) The site information as obtained from the GIS Land Registry is accurate and is subject to legal verification;
  - b) title to the property is good and marketable;
  - c) there are no encroachments, encumbrances, restrictions, leases or covenants that would in any way affect the valuation, except as expressly noted herein;
  - d) the existing use is a legally conforming use which may be continued by any purchaser from the existing owner;
  - e) rights of way, easements or encroachments over other real property and leases or other covenants noted herein are legally enforceable;
  - f) the final estimate of value of the subject site is subject to there being no contamination of any kind to the site and to legal verification of the site area and measurements.

Because these assumptions have been made, no investigation, legal or otherwise, has been undertaken which would verify these assumptions except as expressly noted herein.

3. The Author is not a qualified surveyor. Sketches, drawings, diagrams, photographs, etc., are presented in this Report for the limited purpose of illustration and are not to be relied upon in themselves.

**Carmquin Property Appraisals Ltd.**  
**Contingent of Limiting Conditions (cont'd)**

4. The Author is not qualified to give engineering advice. It is assumed that there are no patent or latent defects in the subject improvement, that no objectionable materials such as Urea Formaldehyde Foam are present and that it is structurally sound in need of no immediate repairs, unless expressly noted within this Report. No soil tests have been done, nor have tests been done of the heating, plumbing, electrical, elevator, or other systems and for the purpose of this Report, they are assumed to be in good working order.
5. No investigation has been undertaken with the local zoning office, the fire department, the building inspector, the health department or any other government regulatory agency unless such investigations are expressly represented to have been made in this Report. The subject property must comply with such government regulations and if it does not comply, non-compliance may affect the Market Value. To be certain of compliance, further investigations may be necessary.
6. Neither possession of this Report nor a copy of it carries with it the right of publication. All copyright is reserved to the Author and is considered confidential by the Author and their client. It shall not be disclosed, quoted from or referred to, in whole or in part, or published in any manner, without the express written consent of the Appraiser. This is subject only to confidential review by the APPRAISAL INSTITUTE OF CANADA as provided in the Code of Ethics, Standards of Professional Conduct and Standards of Professional Practice of the Appraisal Institute of Canada.
7. Market data has been obtained, in part, from documents at the land registry office, or as reported by the Real Estate Board. As well as using such documented and generally reliable evidence of market transactions, it was also necessary to rely on hearsay evidence. Except as noted herein, a reasonable attempt has been made to verify all such information.
8. Because market conditions, including economic, social and political factors, change rapidly and, on occasion, without warning, the Market Value expressed as of the date of the Appraisal cannot be relied upon to estimate the Market Value as of any other date except with further advice of the Appraiser.

**Carmquin Property Appraisals Ltd.**  
**Contingent of Limiting Conditions (cont'd)**

9. The compensation for services rendered in this Report does not include a fee for court preparation or court appearance, which must be negotiated separately. However, neither this nor any other of these Limiting Conditions is an attempt to limit the use that might be made of this Report should it properly become evidence in a judicial proceeding. In such a case, it is acknowledged that it is the judicial body which will decide the use of the Report which best services the administration of justice.
10. It is assumed that there is no contamination to the subject site. While no evidence of contamination was noted, should any contaminants exist, the final estimate of value contained in this Report may not reflect the actual value of the property.
11. It is imperative that the reader or any other interested party be aware that the Appraiser did not inspect the premises for fire detection or smoke detection systems, or for the presence of Carbon Monoxide Detectors, nor did the Appraiser inspect the condition of such equipment, if present. The Appraiser takes no responsibility whatsoever for the lack of, or condition of, detection devices that may be located on the premises, nor does the Appraiser warrant compliance in any manner of such equipment, if present.
12. The Appraiser is not qualified to comment on environmental issues that may affect the market value of the property appraised, including but not limited to pollution or contamination of land, buildings, water, groundwater or air. Unless expressly stated, the property is assumed to be free and clear of pollutants and contaminants, including, but not limited to moulds or mildews or the conditions that might give rise to other, and in compliance with all regulatory environmental requirements, government or otherwise and free of any environmental conditions, past, present or future, that might affect the market value of the property appraised. If the party relying on this report requires information about environmental issues, than that party is cautioned to retain an expert qualified in such issues. We expressly deny any legal liability relating to the effect of environmental issues on the market value of the property appraised.

**Carmquin Property Appraisals Ltd.**  
**Contingent of Limiting Conditions (cont'd)**

13. DEFINITION OF MARKET VALUE: The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:
- a) Buyer and seller are typically motivated;
  - b) both parties are well informed or well advised and acting in what they consider their own best interest;
  - c) a reasonable time is allowed for exposure in the open market;
  - d) payment is made in terms of cash in Canadian dollars or in terms of comparable financial arrangements comparable thereto; and
  - e) the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.

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### **PART III - ADDENDA**

<b>Schedule "A"</b>	Area Map
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<b>Schedule "C"</b>	Zoning Map
<b>Schedule "D"</b>	Zoning Regulations

***PART I - PREFACE***



**SUMMARY OF SALIENT FACTS AND IMPORTANT CONCLUSIONS**

**ADDRESS:** 65 Fort Edward Street, Windsor,  
Hants County, Nova Scotia.

**TYPE:** "As Is" and "As Improved" Vacant Parcel  
of Land. PID # 45059797

**SITE AREA:** 28,600 square feet

**ASSESSED OWNERS:** Town of Windsor

**ZONING:** OS - Open Space

**HIGHEST AND BEST USE:** "As Improved" Development of the site  
with a zoning change similar to the  
adjacent site.

**ASSESSED VALUE:** \$ 219,300.00 - 2019  
Account # 04657101

**TAXES:** Tax Exempt

**EFFECTIVE DATE OF APPRAISAL:** April 25. 2019

**DATE OF INSPECTION:** April 25, 2019

**FINAL ESTIMATE OF VALUE:** "AS IMPROVED" = \$ 191,000.00  
"AS IS " = \$ 43,000.00

## **TERMS OF REFERENCE**

### **SCOPE OF THE APPRAISAL**

The scope of the Appraisal encompasses the necessary research and analysis to prepare a Report in accordance with the intended use, the Canadian Standards of Professional Practice of the Appraisal Institute of Canada and the Canadian Uniform Standards of Professional Practices of the Appraisal Foundation. In regard to the subject property, this involves the following steps:

1. The subject site was inspected by the Appraiser on April 25, 2019 during working hours and photographs were taken at that time. Information concerning the property was obtained from the client.
2. Regional and neighbourhood data were based on information available on the Province and Communities in the Appraisal Library of Carmquin Property Appraisals Ltd. This information was originally obtained from the Town of Windsor, Municipality of the County of Hants and from other sources. The zoning, assessment and services for the subject were obtained from the Town Planning Department, office Zoning Maps and Regulations Library and from the applicable government and municipal departments.
3. The data concerning the area of the subject site was obtained from the GIS Land Registry and is subject to legal verification.
4. In estimating the Highest and Best Use for the subject property, an analysis was made of data compiled in the three steps noted above. In addition, a market analysis was completed of similar type land to help determine the best used of the property. The zoning for the subject site is presently OS - Open Space. The adjacent vacant site is zoned R2- Two Unit Residential and the property is located in an area of Windsor which is developed with the Fort Edward Park and single family and multi unit residential dwellings.
5. In developing the approach to value, the market data utilized was taken from the data collected in the office files of Carmquin Property Appraisals Ltd., and from other appraisers, realtors, property managers or other persons familiar with the subject market.
6. After assembling and analyzing the data defined in this Scope of the Appraisal, a final estimate of Market Value was made "As Is" and "As Improved".

**TERMS OF REFERENCE (cont'd)****PURPOSE OF THE APPRAISAL**

The purpose of this Appraisal is to provide the client with an estimate of the Market Value "As Is" and "As Improved" of the subject vacant land located at 65 Fort Edward Street, Hants County, Nova Scotia, as at the effective date, April 25, 2019.

**FUNCTION OF THE APPRAISAL**

The function of the Appraisal is to provide the client with an estimate of the Market Value "As Is" and "As Improved" of the subject vacant land located at 65 Fort Edward Street, Hants County, Nova Scotia, as at the effective date, April 25, 2019 for possible sale purposes.

**PROPERTY RIGHTS APPRAISED**

The property rights being appraised are those of Fee Simple Interest, which is free and clear of all encumbrances, charges or restrictions other than those mentioned in this Report.

**DEFINITION OF MARKET VALUE**

Market Value is defined as the most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

1. buyer and seller are typically motivated;
2. both parties are well informed or well advised and acting in what they consider their own best interest;
3. a reasonable time is allowed for exposure in the open market;
4. payment is made in terms of cash in Canadian dollars or in terms of comparable financial arrangements comparable thereto; and
5. the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.

**TERMS OF REFERENCE (cont'd)****HISTORY OF THE SUBJECT PROPERTY**

The subject land was at one time the location of the Town of Windsor public in-ground swimming pool which has been closed down for ten or more years and is in a dilapidated condition. The town is in the process of selling the property. It is understood that the subject has not been listed on the market or privately over the years.

**MORTGAGES, LIENS OR ENCUMBRANCES**

The property is being appraised on the basis that there are no mortgages, liens or other encumbrances claimed against them.

**EFFECTIVE DATE OF THE APPRAISAL**

The subject property was inspected on April 25, 2019 and this is considered to be the effective date of the Appraisal.

**EXPOSURE TIME**

The value is estimated as if the subject property was to be exposed for sale on the open market in a manner typical for this class of property for at least six to twelve months prior to the effective date of the listing.

### **REGIONAL DATA**

The subject property is located in the Town of Windsor, Hants County, Nova Scotia. The Province of Nova Scotia, located on the Eastern Atlantic Seaboard, is actually a peninsula connected to the remainder of Canada by 27 kilometres of land. The Island of Cape Breton is joined to mainland Nova Scotia by the Canso Causeway.

The Province has a total area of 54,400 square kilometres and according to information obtained from Statistics Canada 2006 Census, Nova Scotia has a population of 913,462 residents. The Province is divided into five geographical regions, with Halifax as the capital. One of these geographical regions, where the subject property is located, is the Annapolis Valley, which is world famous as a farming area. The climate is suited for the growing of all types of vegetables and produce, with apples being the speciality. (Refer to Schedule "A" - Area Map in the Addenda)

### **NEIGHBOURHOOD DATA**

The subject site is located on the north side of Fort Albert Street and the south side of Corbett Street and in close proximity to the downtown commercial area in Windsor and close to all amenities. Over the past few years the town has expanded its commercial development onto Wentworth Road with an Atlantic Super Store, a second Tim Hortons, MacDonalds and a new Super 8 Motel. Windsor is the county seat for Hants County and has a population of approximately 3,700. The Town of Windsor has a Business Development Centre which was formed to assist residents of the area in establishing a library of relevant data related to the establishment of small businesses in the Windsor-West Hants area. The twinning of the 101 Highway to the Cities of Halifax and Dartmouth has made the town more attractive for new residents and businesses. There are two Industrial Parks in the town, The Town of Windsor Industrial Park and the Windsor-West Hants Industrial Park. Both parks are centrally located, easily accessible and provide serviced lots and mini-malls for new and existing buildings. Opportunities are available in various sections of the Town for further commercial development which lies in close proximity to downtown commercial area. (Refer to Schedule "B" - Neighbourhood Map in the Addenda)

**SITE DESCRIPTION**

The subject site, PID # 45059797, is located on the north side of Fort Edward Street and the south side of Corbett Street in the Town of Windsor. The site is basically rectangular shaped and level at street grade at Fort Edward Street and slopes upward slightly at the rear from Corbett Street. The site measurements were not available to the Appraiser and the site area of approximately 28,600 square feet has been obtained from the GIS Land Registry and is subject to legal verification. The site is improved with an old in-ground swimming pool and pool house which has been vacant for ten or more years. There is a gravel driveway at the east side of the site.

**SUBJECT SITE**

### **ASSESSMENT AND TAXES**

From information obtained from the Town of Windsor, Assessment Department it is understood that the subject property is assessed on the 2019 Assessment Roll as at base date January 1, 2018 at account # 04656792 for \$ 219,300.00.

From information obtained from the Town of Windsor, Tax Department it is understood that the subject site is owned by the town and is tax exempt.

### **SERVICES**

From information obtained from the Town of Windsor, it is understood that the subject property is located in an area which is serviced with town water and sewer.

Other services provided to the site include paved roads, street lights, snow removal, garbage collection and police and fire protection.

### **ZONING**

From information obtained from the Town of Windsor Planning Department, it is understood that the subject site is located in an area of the town which is zoned O2- Open Space. (Refer to Schedule "C" Zoning Map and Schedule "D" Zoning Regulations in the Addenda)

#### **O2- OPEN SPACE**

##### **Permitted Uses**

25.1 The following uses shall be permitted in the Open Space (O2) zone

- . Cemeteries
- . Historic sites and Museums
- . Outdoor recreation uses
- . Parks and playgrounds
- . Uses, buildings and structures necessary for the prevention of floods, soil erosion and other related activities.

##### **Abutting Zone Requirements**

25.2 Where a lot in the OS zone abuts any other zone, no building shall be erected within 4 ft.(1.22m) of the abutting side of the rear lot line.

***PART II - ANALYSIS AND CONCLUSIONS***



### **HIGHEST AND BEST USE**

Highest and Best Use, as defined by the Appraisal Institute of Canada, is "that use which is most likely to produce the greatest net return in monies or amenities over a given period of time". Net return may involve net income as from an investment property, or satisfaction and amenities as from a residential property.

Many factors and appraisal principals become a consideration in determining the Highest and Best Use of a property such as current zoning, physical characteristics, neighbourhood trends, present usage and profitability.

The concept of Highest and Best Use recognizes that land can change over a period of time and the optimum use of a site is determined by need or demand at any given period of time. Other factors of consideration in the analysis of Highest and Best Use are government regulations, supply and demand, productivity, contribution, competition and public opinion.

The subject approximate 28,600 square foot site is located on Fort Edward Street and on Corbett street at the rear. The site is located in an area of Windsor which is zoned O2 - Open Space and the area is developed with residential dwellings and the Fort Edward Historic Park and is in close proximity to the downtown commercial area.

Based on the information provided, and after giving consideration to all factors concerned, it is the Appraiser's opinion that the Highest and Best Use of the subject site is "As Improved" with the site of the old in-ground public pool filled in and the zoning of the site changed the same as the abutting land and ready for development as an R2- zoning for duplex dwellings.

### **SITE VALUATION AND ANALYSIS**

In estimating the value of a site, there are four basic methods of valuation depending upon the type and use of the site, as well as the available market evidence. These methods include:

1. The Comparative Sales Method
2. The Abstraction Method
3. The Development Method
4. Land Residual Method

The usual method of valuing undeveloped land, and the most used, is the Comparative Sales Method, which is the comparison with similarly zoned land in an area similar to the subject or in another comparable area, which has recently sold on the market. Information is also analysed from the past record of sales of similar sites and from land which is presently listed for sale on the Real Estate Market.

This Comparative Sales Approach is based on the idea that an informed purchaser would pay no more for a site than the cost of acquiring one of equal attractiveness and utility on the open market.

In estimating the value of the subject vacant parcel of land, the Appraiser has considered all relevant factors including:

1. Size, location and zoning.
2. Supply and demand of vacant land.
3. Recent sales and asking prices of vacant land similar to the subject.
4. Other factors considered necessary.

In analysing the Market Value of the subject site, an investigation was undertaken of the real estate market for recent sales of residential and other land in the subject and similar areas.

The following sales were acquired and analysed, and adjustments were applied to reflect the variations from the subject site. These sales are thought to give the greatest degree of comparability to the subject.

**DIRECT COMPARISON APPROACH**

*In valuing a site by the Direct Comparison Approach, land values are obtained from land sales which have occurred in the subject or similar areas. Adjustments are applied to the comparables to reflect variations from the subject for site size, location, zoning, utility and topography.*

**LAND SALES**

<b>Item</b>	<b>Subject</b>	<b>Comparable 1</b>	<b>Comparable 2</b>
Address	66 Fort Edward Street, Street, Windsor	54 Woodworth Road, Kentville	245-247 Victoria Street, Windsor
Vendor or Purchaser	PID # 45059797	PID # 55048698	PID # 45056690
Sale Price	N/A	\$19,500.00	\$40,000.00
Sale Date	N/A	05/03/2019	10/24/2018
Lot Size	28,600 sf	10,010 sf	6,000 sf
Sale Price per SF	N/A	\$1.95	6.67
Zoning	O2 - Open Space	Residential	R2- Two Unit Residential
Comments	The subject site is improved with an older in-ground pool which has been closed for ten years or more and was the public swimming pool for the Town of Windsor. The subject is being appraised "As Is" with the pool and "As Improved" with the pool removed and the site filed in ready for development.	Comp One is a lot in Kentville in a residential zoned area and in close proximity to the Valley Regional Hospital. Inferior in location and lot size and superior in zoning "As Is" .	Comp Two is a R2-zoned lot in Windsor area. Similar in location and inferior in lot size and superior in zoning "As Is" .

**THE COST APPROACH (cont'd)****LAND SALES (cont'd)**

<b>Item</b>	<b>Comparable 3</b>	<b>Comparable 4</b>	<b>Comparable 5</b>
Address	Unit # 3 Town Road, Falmouth	Lot 14 Woodman Road, Wolfville	7270 Highway # 1, Coldbrook
Vendor or Purchaser	PID # 45339116	PID # 55509608	Not available
Sale Price	\$62,000.00	\$127,000.00	\$405,000.00
Sale Date	09/19/2018	09/11/2018	06/21/ 2016
Lot Size	16,592 sf	19,716 sf	265,298 sf
Sale Price per SF	\$3.74	\$6.44	\$1.53
Zoning	Residential	Residential	C1- Highway Commercial
Comments	Comp Three is a residential lot in Falmouth which lies in close proximity to the west of Windsor. Inferior in location and lot size and superior in zoning "As Is" .	Comp Four is a large lot in an executive subdivision in the Town of Wolfville in close proximity to the downtown area. Similar in location and inferior in lot size and superior in zoning "As Is" ..	Comp Five is a large acreage site in Coldbrook zoned Commercial which was improved with a hotel. There was a fire in the hotel which burnt down and only a small one storey section of the building remained and is to be removed from the site. Inferior in location and superior in lot size and zoning "As Is" .

**THE COST APPROACH (cont'd)****SUMMARY**

Of the land sales analyzed, those listed are the most recent and offer the best indication of value for the subject site. The value ranges of the five sales analyzed before adjustments range from \$ 1.53 to \$ 6.67 per square foot. Comparable Two is located in the subject area and is superior in zoning which is R2- Two Unit Residential. The subject is being appraised "As Is" with the closed in-ground swimming on the site and "As Improved" with the pool removed and the site cleaned up and ready for development. The subject site has road frontage on two streets and is zoned O2- Open Space and has limited permitted uses.

It is the Appraiser's opinion that the existing older swimming pool and pool house appears in poor condition and should be removed as it appears to be a safety issue and will only deteriorate more as the years go by. The site should be filled in and levelled off and the zoning to be changed to R2- Two Unit Residential similar to the abutting land at 36 Fort Edward Street or if the zoning is left at O2- Open Space then a install a public playground could be built on the site. The present condition of the property is a negative feature for the properties saleability as a potential purchaser would have to invest any where from \$ 50,000 to \$ 100,00.00 to clean the site up to get ready for development.

Adjustments were applied to the comparables to reflect the differences from the subject for site size, location, utility and zoning. It is the Appraiser's opinion that the price per square foot most applicable to the subject site "As Is" is \$ 1.50 and "As Improved" would be is \$ 6.67.

**LAND VALUE: (rounded)**

"As Improved"	28,600 sf X \$ 6.67/sf	= \$ 191,000.00
"As Is"	28,600 sf X \$ 1.50/sf	= \$ 43,000.00

**RECONCILIATION AND FINAL ESTIMATE OF VALUE**

The indicated value of the subject vacant site has been obtained from comparable vacant land sales in the subject and surrounding areas. Based on the data analysed in this Report, it is the Appraiser's opinion, subject to the Contingent and Limiting Conditions listed in this Report, to there being no contamination of any kind to the subject site, and to legal verification of the site area and measurements, that the final estimate of value "As Is" and "As Improved" as of the effective date, April 25, 2019 is:

"AS IMPROVED"	= \$ 191,000.00
"AS IS "	= \$ 43,000.00

Respectfully submitted



Carmel O'Quinn, AACI, P.App  
Accredited Appraiser  
NSREEA Registration # 243730

**CERTIFICATE OF APPRAISER**

The Appraiser hereby certifies:

- 1) That I personally inspected the subject property of this Complete Summary Appraisal Report on April 25, 2019 and that I have investigated and considered all factors affecting its value.
- 2) That I have no past, present or contemplated interest in the property that is the subject of this Report and that I have no personal interest or bias with respect to the parties involved.
- 3) That to the best of my knowledge and belief, all of the information reported in this Report is true and factual data has been verified where possible.
- 4) That this Complete Summary Appraisal Report has been made and the Report rendered in conformance with the Code of Ethics and the Canadian Uniform Standards of Professional Appraisal Practices of the Appraisal Institute of Canada.
- 5) That this Report is subject only to the Contingent and Limiting Conditions, whether such conditions are imposed by the terms of this assignment or by the Appraiser.
- 6) That neither the terms of employment nor the compensation from rendering my opinion in this Report are contingent upon value found, nor anything else than the delivery of this Report.
- 7) No one provided professional assistance to the person signing this Report.
- 8) The Appraiser has fulfilled the requirements of the Appraisal Institute of Canada Continuing Professional Development program for designated members and is recertified.

**CERTIFICATE OF APPRAISER (cont'd)**

- 9) That the Final Estimates of Value "As Is" and "As Improved" of the subject vacant land, as defined elsewhere in this Report, as of the effective date, April 25, 2019, subject to there being no contamination of any kind to site, to verification of the site area and to the Contingent and Limiting Conditions listed in this Report, is as follows:

"As Improved" = \$ 191,000.00

"As Is" = \$ 43,000.00



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Carmel O'Quinn, AACI, P.App  
Accredited Appraiser  
NSREEA Registration # 243730



**QUALIFICATIONS OF CARMEL O'QUINN, AACI, P.App****BACKGROUND**

Born in Grand Falls, Newfoundland and educated at Windsor, Grand Falls and St. John's, Newfoundland.

**EDUCATION AND PROFESSIONAL BACKGROUND**

College of Trades and Technology, St. John's, Newfoundland, Diploma in Appraisal/Assessment Technology.

Memorial University of Newfoundland, St. John's, Newfoundland, five credits.

Appraisal Institute of Canada, Accredited Appraiser Canadian Institute, AACI plus the P.App. for Professional Appraiser

**APPRAISAL EXPERIENCE**

Presently self-employed as Carmquin Property Appraisals in New Minas, Nova Scotia as a Fee Appraiser having a wide variety of appraisal functions. Appraisals of commercial, industrial, agricultural and residential properties. Experience in other functions in the appraisal of properties such as consultancy, research work, compiling comparable data banks for commercial and residential appraisals, market analysis, computer programming and data entry.

Appraisals completed of large commercial office buildings, retail stores, industrial buildings, nursing homes, motels, hotels, agricultural properties, Fish Plants, Wharves and Vacant Land. V.Day valuations for Capital Tax, Replacement Costs and Actual Cash Value for insurance purposes, appraisals for mortgage financing for sales and refinancing, estate sales, assessment appeals and various other functions.

Several years appraisal experience working as Appraisal Manager with MacKay Real Estate Limited, Appraisal Division, Wolfville, Nova Scotia and other appraisal companies in St. John's, Newfoundland, in commercial and residential work, as well as self-employed for two years with own appraisal company in Newfoundland.

**CORPORATE MEMBERSHIP**

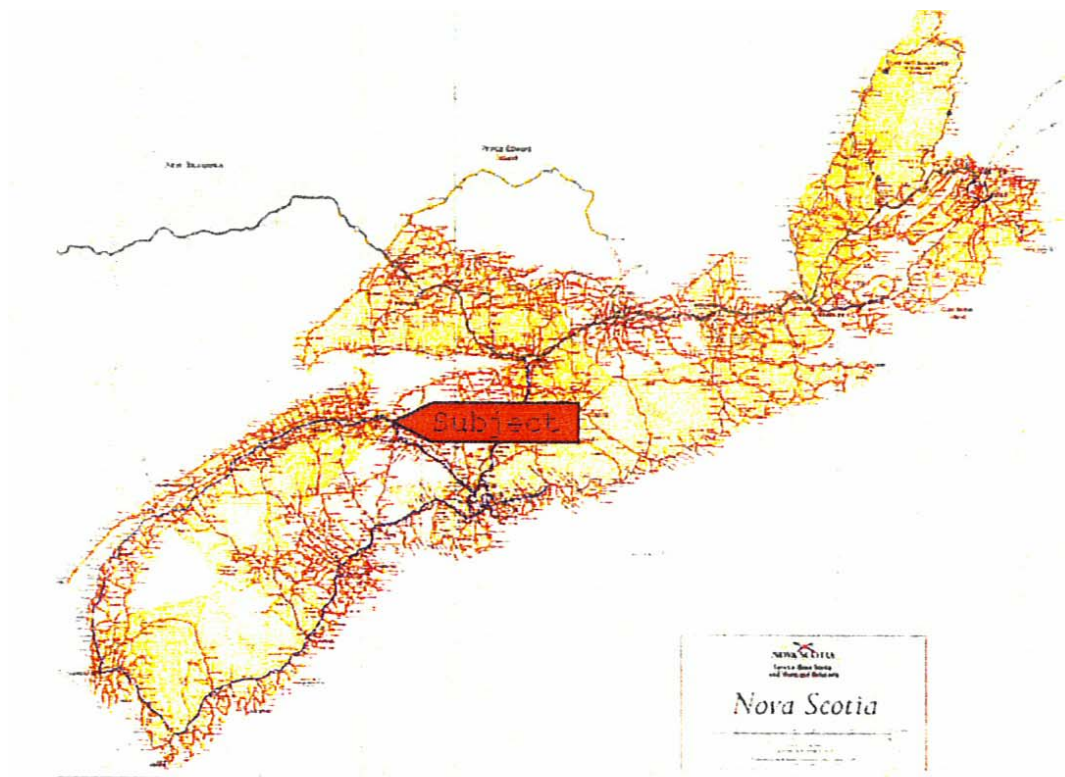
Member, Appraisal Institute of Canada, Winnipeg.

**EXPERT WITNESS**

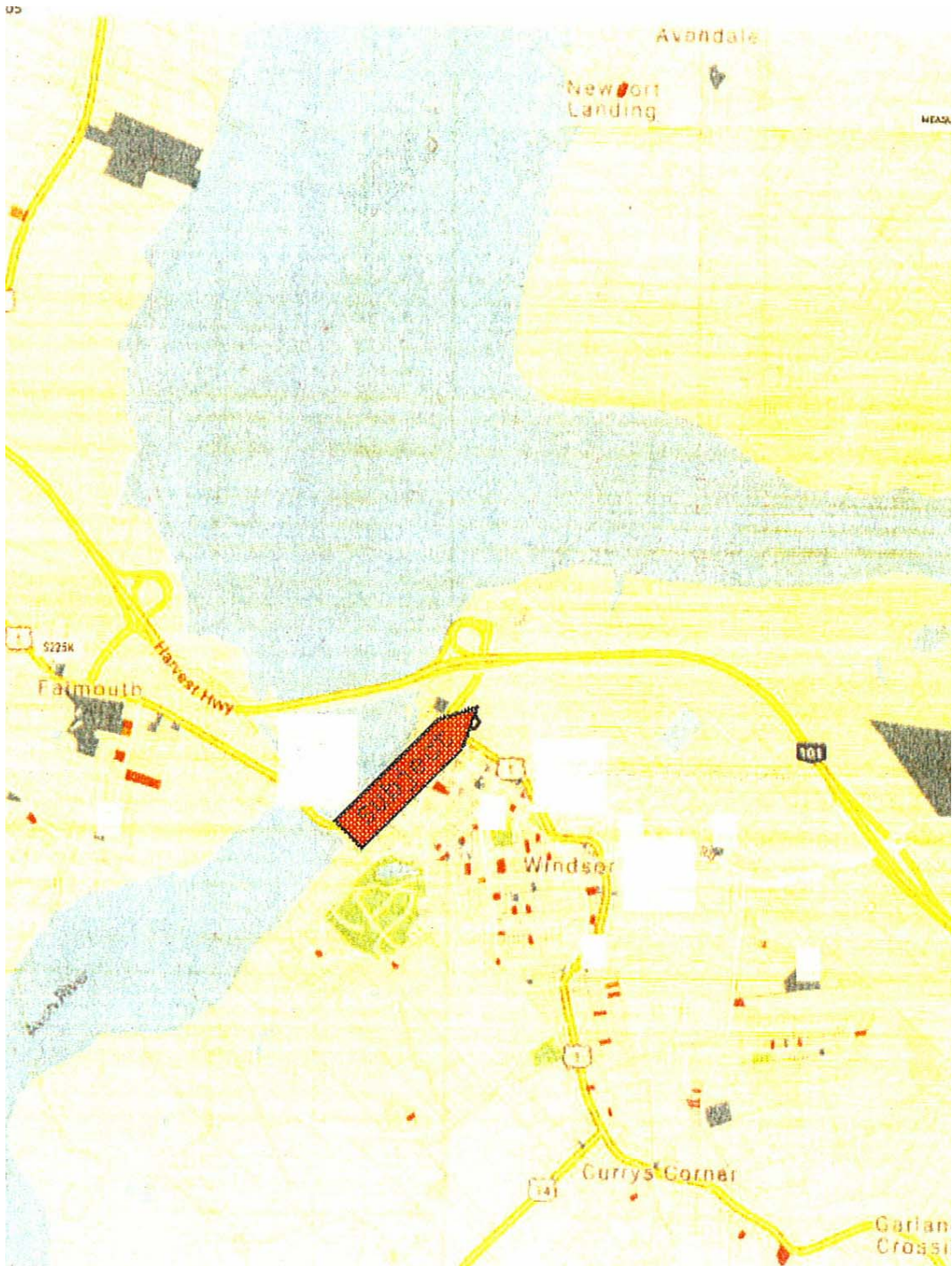
Supreme Court of Canada

*PART III - ADDENDA*

**SCHEDULE "A" - AREA MAP**

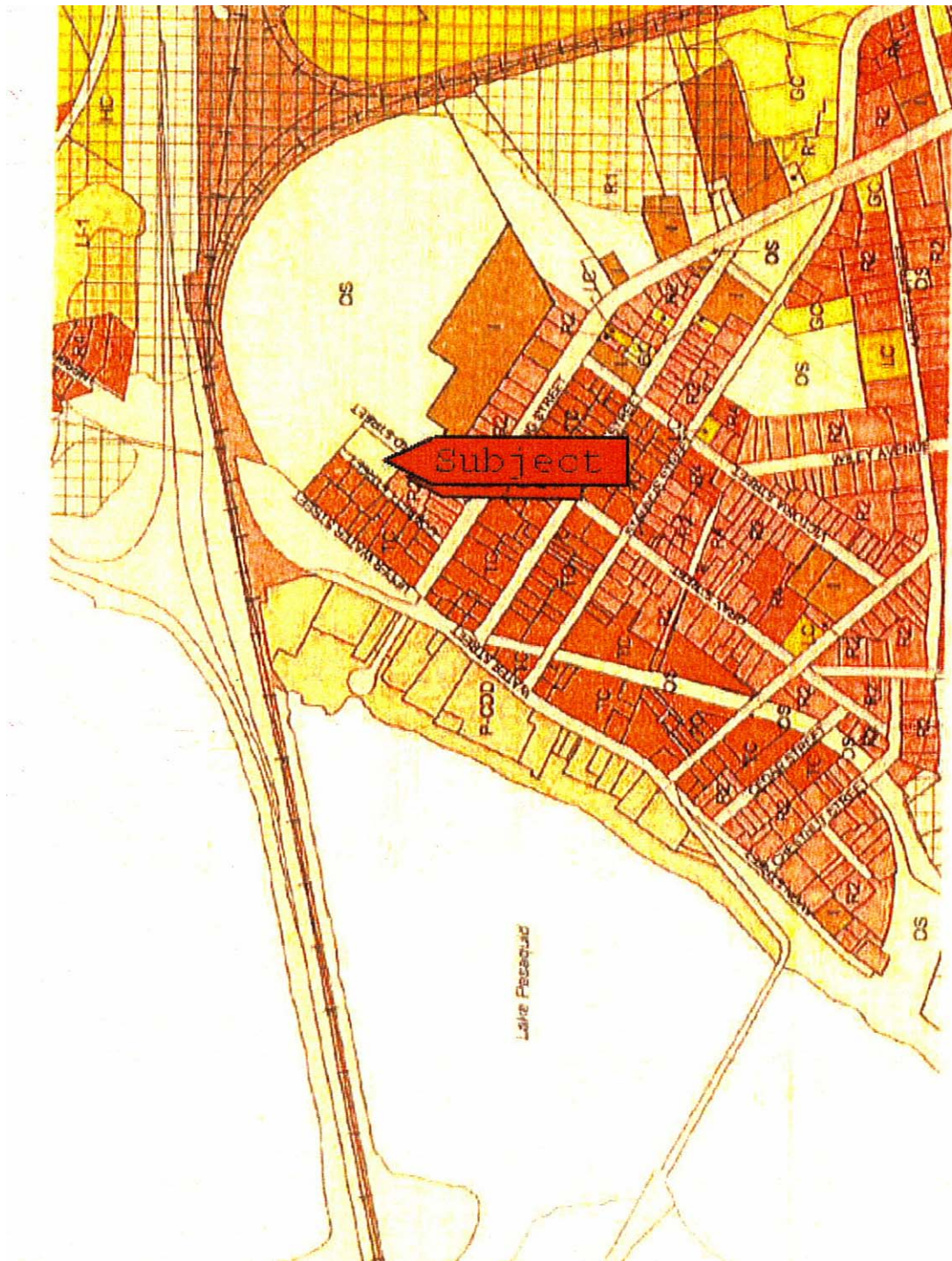


**SCHEDULE "B" - NEIGHBOURHOOD MAP**





**SCHEDULE "C" - ZONING MAP**



## ***SCHEDULE "D" - ZONING REGULATIONS***

---

### **25.0 OPEN SPACE (OS)**

#### **Permitted Uses**

25.1 The following uses shall be permitted in the Open Space (OS) zone:

- Cemeteries
- Historic sites and museums
- Outdoor recreation uses
- Parks and playgrounds
- Uses, buildings and structures necessary for the prevention of floods, soil erosion and other related activities

#### **Abutting Zone Requirements**

25.2 Where a lot in the OS zone abuts any other zone, no building shall be erected within 4 ft (1.22 m) of the abutting side or rear lot line.

## APPRAISAL OF



## LOCATED AT:

65 AND PID 45059805 FORT EDWARD STREET  
WINDSOR, NS B0N 2T0

## FOR:

TOWN OF WINDSOR  
PO BOX 158, 100 KING STREET  
WINDSOR, NS B0N 2T0

## BORROWER:

TO ESTIMATE HYPOTHETICAL VALUE R4 ZONE

## AS OF:

September 16, 2010

## BY:

JACKLYN PARKER  
NSREAA Registration No. 267870

JACKLYN PARKER APPRAISALS LIMITED  
JACKLYN PARKER CRA  
PO BOX 3600  
WINDSOR, NS B0N 2T0

October 11, 2010

TOWN OF WINDSOR  
LOUIS COUTINHO  
PO BOX 158, 100 KING STREET  
WINDSOR, NS B0N 2T0

Address of Property: 65 AND PID 45059805 FORT EDWARD STREET  
WINDSOR, NS B0N 2T0

Market Value: \$ 195,000. 00 R4

In accordance with your request and authorization, an investigation, analysis and appraisal report on the above referenced property has been completed for the purpose of estimating Market Value.

After careful consideration of all factors that affect value, the Market Value is determined to be as referenced above

This estimate is subject to the limiting conditions attached to this report and to which the reader's attention is specifically directed.

Should you require further assistance or clarification as to any portion of this report, please contact me.

I certify that I have no interest, present or contemplated in the subject property appraised.

Yours truly,

  
JACKLYN PARKER  
CRA



Case No.  
File No. 20100914

Lender Reference No.

LIMITED APPRAISAL - RESTRICTED RESIDENTIAL APPRAISAL REPORT									
LENDER/CLIENT: TOWN OF WINDSOR		ADDRESS OF PROPERTY 65 AND PID 45059805 FORT EDWARD STREET			APPRAISER: JACKLYN PARKER				
ADDRESS: PO BOX 158, 100 KING STREET WINDSOR, NS B0N 2T0		City WINDSOR Prov. NS Postal Code B0N 2T0			ADDRESS: PO BOX 3600 WINDSOR, NS B0N 2T0				
TEL: ( ) 798-6675		APPLICANT: TO ESTIMATE HYPOTHETICAL VALUE R4 ZONE			TEL: ( 902 ) 798-2288 FAX: 369-2056				
LEGAL DESCRIPTION PID 45059797 AND PID 45059805 , Registry of Deeds, Hants County, NS									
MUNICIPALITY or DISTRICT Town of Windsor, NS									
ASSESSMENT: LAND		IMP		TOTAL As If Vacant		YEAR		TAXES\$ YEAR	
PURPOSE OF APPRAISAL		To estimate the market value X or			INTENDED USE OF APPRAISAL: Hypothetical Market Value				
PROPERTY RIGHTS APPRAISED		FEE SIMPLE X		LEASEHOLD		CONDOMINIUM		COOPERATIVE OTHER (Specify)	
OCCUPIED BY: OWNER		TENANT		VACANT		As If Vacant			
HIGHEST AND BEST USE: X As Improved NOTE: IF HIGHEST & BEST USE IS NOT THE CURRENT USE - SEE COMMENTS UNDER SUBJECT PROPERTY DESCRIPTION									
NEIGHBOURHOOD DESCRIPTION									
NATURE OF DISTRICT		TREND OF DISTRICT		CONFORMITY OF SUBJECT		SUPPLY		DEMAND	
X RESIDENTIAL		Steadily IMPROVING		AGE SIZE		X GOOD		X GOOD	
RURAL		DEVELOPING		NEWER LARGER		FAIR		FAIR	
COMMERCIAL/ INDUSTRIAL		STABLE		OLDER SMALLER		POOR		POOR	
MIXED		DETERIORATING		SIMILAR SIMILAR					
DISTANCE		ELEMENTARY SCHOOL <.5 km		PUBLIC TRANSPORTATION Kings Transit		PRICE RANGE OF PROPERTIES IN DISTRICT			
TO: JUNIOR SECONDARY		10 km (Bussed)		SHOPPING FACILITIES Adjacent Streets		GENERAL: \$ 75-300,000.00+			
HIGH SCHOOL		<.5 km		DOWNTOWN Adjacent Streets		IMMEDIATE AREA: \$ 75-300,000.00+			
SUMMARY: Including apparent adverse influences in area, if any(e.g. railroad tracks, commercial/industrial properties, unkempt properties, major traffic arteries, hydro facilities, landfill sites, etc.									
Windsor's central location provides close proximity to all of the major urban centres in central Nova Scotia. The Town is located immediately adjacent to Highway 101, one of Nova Scotia's major limited access thoroughfares.									
IS NEIGHBOURHOOD CONSIDERED TO HAVE GOOD MARKET APPEAL? X YES NO									
COMMENTS: There are no adverse influences in the area. Property values are stable with no known or anticipated negative trends that would negatively affect market values. The twinning of the 100 series highways continues between the valley and Halifax regions.									
SUBJECT PROPERTY DESCRIPTION									
ZONING DESIGNATION: As If R 4		SITE DIMENSIONS: NA		SITE AREA: 45,400 Sq.Ft..		TOPOGRAPHY: Level/Slope			
ESTIMATED AGE		CURB APPEAL		EXTERIOR CONDITION		EXTERIOR FINISH		ROOFING MATERIAL	
N/A YEARS		X GOOD		N/A GOOD		N/A BRICK VENEER		N/A ASPHALT SHINGLE	
PARKING		AVERAGE		AVERAGE		SOLID BRICK		ALUMINIUM	
GARAGE		FAIR		FAIR		STONE VENEER		VINYL	
CARPORT		POOR		POOR		SOLID STONE		INSULBRICK	
DRIVEWAY						STUCCO		SLATE	
COMMENTS: See Attached Addendum..									
COMPARABLE MARKET DATA									
ITEM	SUBJECT PROPERTY		NO.1		NO.2		NO.3		
ADDRESS	65 AND PID 45059805 FORT E S WINDSOR, NS		Lot 211 FRASER DRIVE WINDSOR, NS		LOT 207 BURGESS CRESCENT WINDSOR, NS		1A GRAY STREET WINDSOR, NS		
DATE OF SALE			05/28/2009		06/25/2010		02/19/2008		
SALE PRICE			38,000		34,900		49,000		
SITE SIZE	45,400 Sq.Ft.		10,860 Sq.Ft.		6664 Sq.Ft.		11,305 Sq.Ft.		
SIZE L.F.A.									
AGE/CONDITION	as if vacant lot		vacant lot		vacant lot		vacant lot		
STYLE	R 4 Residential		R 1 Residential		R 1 Residential		R 4 Residential Potential		
ROOMS/BEDROOMS/BATHS									
BASEMENT									
GARAGE/PARKING									
\$ per Sq.Ft.			3.4990792		5.2370948		4.3343653		
REASONS FOR CONCLUSIONS: See Attached Addendum									
SUBJECT HISTORY OF SALES/TRANSFERS/LISTINGS The Annapolis Valley MLS confirms that the subject property has not been offered for sale.									
OPINION OF VALUE									
I HAVE CARRIED OUT AN INSPECTION OF THE SUBJECT PROPERTY FROM THE STREET, ANALYZED THE APPLICABLE DATA AND CONSIDERED ALL RELEVANT FACTORS. IN MY OPINION, THE PROPERTY IS ESTIMATED TO HAVE A VALUE RANGE:									
OF \$ 195,000.00 R4 TO \$ 195,000.00 R4 AS OF September 16, 2010									
NOTE TO READERS: THIS IS A LIMITED APPRAISAL PREPARED IN ACCORDANCE WITH STANDARDS OF PROFESSIONAL PRACTICE OF THE APPRAISAL INSTITUTE OF CANADA. IDENTIFICATION AND EXPLANATION OF DEPARTURES IS INDICATED BELOW.									
THIS DOCUMENT IS A RESTRICTED APPRAISAL REPORT IN THAT IT CANNOT BE UNDERSTOOD PROPERLY WITHOUT ADDITIONAL INFORMATION IN THE WORKFILE OF THE APPRAISER. THE ADDRESEE OF THIS DOCUMENTHAS BEEN ADVISED REGARDING THE LIMITATIONS OF THIS TYPE OF REPORT AND HAS AGREED TO AND IS AWARE OF THESE RESTRICTIONS. DUE TO THE LIMITATION OF THIS REPORTING METHOD IT IS NOT INTENDED FOR USE BY THIRD PARTIES.									
USPAP DEPARTURE DISCLOSURE									
<input type="checkbox"/> Rule 1.2(a)	<input type="checkbox"/> Rule 1.2(d)	<input type="checkbox"/> Rule 1.3(b)	<input type="checkbox"/> Rule 1.4(c)	<input type="checkbox"/> Rule 1.4(f)	<input type="checkbox"/> Rule 1.4(i)				
<input type="checkbox"/> Rule 1.2(b)	<input type="checkbox"/> Rule 1.2(e)	<input type="checkbox"/> Rule 1.4(a)	<input type="checkbox"/> Rule 1.4(d)	<input type="checkbox"/> Rule 1.4(g)					
<input checked="" type="checkbox"/> Rule 1.2(c)	<input type="checkbox"/> Rule 1.3(a)	<input type="checkbox"/> Rule 1.4(b)	<input type="checkbox"/> Rule 1.4(e)	<input type="checkbox"/> Rule 1.4(h)					
EXPLANATIONS:									

Limited / Restricted 07/95

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Page 1 of 2

LIMITED APPRAISAL - RESTRICTED RESIDENTIAL APPRAISAL REPORT

SCOPE OF THE REPORT:

The client has specifically requested a Limited Appraisal to be reported in a Restricted Report format. The information and conclusions are limited by the scope of this type of appraisal as follows:

1. An inspection of the subject property from the street has been made.
2. No inspection has been made of the interior of the subject property.
3. Sales data and listing Information have been obtained from data sources considered to be reliable.
4. The cost approach has been excluded in this appraisal.
5. No registry office search has been performed and the property is assumed to have a marketable title and is free and clear of all encumbrances, including leases, unless otherwise noted.
6. Sales information of physically similar properties has been gathered and analyzed on the basis that the subject is in average condition and that there are no physical or functional conditions within the interior of the property that would adversely affect the conclusions contained in this report, unless otherwise stipulated herein.

DEFINITION OF MARKET VALUE

The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently, knowledgeably and assuming the price is not affected by undue stimulus.

ASSUMPTIONS AND LIMITING CONDITIONS:

The Certification that appears in this restricted residential appraisal report is subject to the following conditions:

1. The appraiser will not be responsible for matters of a legal nature that affect either the property being appraised or the title to it. The appraiser assumes that the title is good and marketable and, therefore, will not render any opinions about the title. The property is appraised on the basis of it being under responsible ownership.
2. The appraiser will not give testimony or appear in court concerning this appraisal unless required to do so by due process of law.
3. The appraiser has noted in the appraisal report any significant adverse conditions (such as needed repairs, depreciation, the presence of hazardous wastes, toxic substances, etc.) observed during the street inspection of the subject property or that he or she became aware of during the normal research involved in performing the appraisal. Unless otherwise stated in the appraisal report, the appraiser has no knowledge of any hidden or unapparent conditions of the property or adverse environmental conditions (including the presence of hazardous wastes, toxic substances, etc.) that would make the property more or less valuable, and has assumed that there are no such conditions and makes no guarantees or warranties, express or implied, regarding the condition of the property. The appraiser will not be responsible for any such conditions that do exist or for any engineering or testing that might be required to discover whether such conditions exist. Because the appraiser is not an expert in the field of environmental hazards, the appraisal report must not be considered as an environmental assessment of the property.
4. The appraiser obtained the information, estimates and opinions that were expressed in this report from sources considered to be reliable and believes them to be true and correct. The appraiser does not assume responsibility for the accuracy of such items that were furnished by other parties.
5. The appraiser will not disclose the contents of the appraisal report except as provided for by the provisions of Uniform Standards of Professional Appraisal Practice (USPAP).
6. The appraiser has based the appraisal and valuation conclusion on the assumption that, even though only a street inspection has been made, the interior and exterior condition are assumed to be typical for this type of property, unless otherwise noted in the report.

Comment on the efforts taken to obtain, and the source of interior and exterior inspection information. The value established  
presumes that the site has been remediated and that the land is ready for R4 development.

7. The appraiser has agreed to enter into the assignment as requested by the client named in the report for the use specified by the client which is stated in the report, which calls for things that are different from the work that would otherwise be required by the specific guidelines of the USPAP. The client has agreed that the performance of this limited appraisal and the restricted report format is appropriate for the intended use.

Other:

APPRAISER'S CERTIFICATION: I certify, to the best of my knowledge and belief:

1. The statements of fact contained in this report are true and correct.
2. The unreported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, unbiased professional analyses, opinions and conclusions.
3. I have no present or prospective interest in this property that is the subject of this report, and I have no personal interest or bias with respect to the parties involved.
4. My compensation is not contingent upon the reporting of a predetermined value or direction in value that favours the cause of the client, the amount of the value estimate, the attainment of a stipulated result, or the occurrence of a subsequent event.
5. My analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice and the Code of Professional Ethics of the Appraisal Institute of Canada.
6. I have made a street inspection of the property that is the subject of this report. If a supervisory appraiser has signed the report, that person has indicated on the report whether they did or did not make a street inspection of the appraised property.
7. No other person has provided me with significant professional assistance in the completion of this appraisal assignment.

Note: The Appraisal Institute of Canada has a Mandatory Recertification Program for designated members. As of the date of this report, all designated signatories to this report have fulfilled the requirements of the program.

SUPERVISORY APPRAISER'S CERTIFICATION:

If a supervisory appraiser reviewed the appraisal report, he or she certifies and agrees that: "I directly supervised the appraiser who prepared the appraisal report, have reviewed the report, agree with the statements and conclusions of the appraiser, agree to be bound by the appraiser's certification, and am taking full responsibility for the appraisal and the appraisal report."

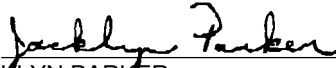
PROPERTY IDENTIFICATION

Address 65 AND PID 45059805 FORT EDWARD STREET City WINDSOR Pr. NS Postal Code B0N 2T0  
Legal Description PID 45059797 AND PID 45059805 , Registry of Deeds, Hants County, NS

Final Estimated Value Range as of September 16, 2010 is from \$ 195,000.00 R4 to \$ 195,000.00 R4  
(effective date of appraisal)

APPRAISER

SUPERVISORY APPRAISER(if applicable):

Signature   
Name JACKLYN PARKER  
Designation: CRA: x AACI:   
Street Inspection Date: September 16, 2010  
Date Signed: October 11, 2010

Signature   
Name   
Designation: CRA:  AACI:   
Street Inspection: Yes:  No:   
Street Inspection Date:   
Date Signed:

LIMITED APPRAISAL - RESTRICTED RESIDENTIAL APPRAISAL REPORT

This Limited Departure Disclosure is part of a Limited Appraisal made according to the binding requirements and specific guidelines of the Uniform Standards of Professional Appraisal Practice (USPAP). The USPAP permit departures from some sections of the USPAP that are classified as specific guidelines. The USPAP places the burden of proof on the appraiser to decide before accepting an assignment which calls for something so limited as to mislead or confuse the client or other intended users of the report. The appraiser must advise the client that a Limited Appraisal may not be as reliable as a Complete Appraisal, and that the report will clearly identify and explain the departures. The client must agree that the performance of a Limited Appraisal would be appropriate.

I am satisfied that the Limited Appraisal I performed is not so limited as to mislead or confuse the client or other disclosed intended users of the report. I have indicated below those USPAP specific guidelines from which I have departed. I have prominently disclosed in the appraisal report that this is a Limited Appraisal and that I have not performed all of the items of the appraisal process for a Complete Appraisal, and that a Limited Appraisal may be less reliable than a Complete Appraisal.

**INDICATE DEPARTURES AND EXPLAIN BELOW**

- ☐ **Standard Rule 1-2 (a)** "adequately identify the real estate, identify the real property interest, consider the intended use of the appraisal, consider the extent of the data collection process, identify any special limiting conditions, and identify the effective date of the appraisal:"

☐ **Standard Rule 1-2 (b)** "define the value being considered: if the value to be estimated is market value, the appraiser must clearly indicate whether the estimate is the most probable price: (i) in terms of cash; or (ii) in terms of financial arrangements equivalent to cash; or (iii) in such other terms as may be precisely defined; if an estimate of value is based on sub market financing or financing with unusual conditions or incentives, the terms of such financing must be clearly set forth, their contributions to or negative influence on value must be described and estimated, and the market data supporting the valuation estimate must be described and explained:"

☒ **Standard Rule 1-2 (c)** "consider easements, restrictions, encumbrances, leases, reservations, covenants, contracts, declarations, special assessments, by-laws, or other items of a similar nature:"

☐ **Standard Rule 1-2 (d)** "consider whether an appraised fractional interest, physical segment, or partial holding contributes pro rata on the value of the whole:"

☐ **Standard Rule 1-2 (e)** "identify and consider the effect on value of any personal property, trade fixture or intangible items that are not real property but are included in the appraisal:"

☐ **Standard Rule 1-3 (a)** "consider the effect on use and the value of the following factors: existing land use regulations, reasonably probable modifications of such land use regulations, economic demand, the physical adaptability of the real estate, neighbourhood trends, and the highest and best use of the real estate:"

☐ **Standard Rule 1-3 (b)** "recognize that land is appraised as though vacant available for development to its highest and best use and that the appraisal of improvements is based on their actual contribution to the site:"

☐ **Standard Rule 1-4 (a)** "value the site by an appropriate appraisal method or technique:"

☐ **Standard Rule 1-4 (b)** "collect, verify, analyze, and reconcile: (i) such comparable cost data as are available to estimate the cost new of the improvements (if any); (ii) such comparable data as are available to estimate the difference between cost new and the present worth of the improvements (accrued depreciation); (iii) such comparable sales data, adequately identified and described, as are available to indicate a value conclusion; (iv) such comparable operating expenses data as are available to estimate the operating expenses of the property being appraised; (v) such comparable operating data as are available to estimate the operating expenses of the property being appraised; (vi) such comparable data as are available to estimate rates of capitalization and/or rates of discount."

☐ **Standard Rule 1-4 (c)** "base projections of future rent and expenses on reasonably clear and appropriate evidence:"

☐ **Standard Rule 1-4 (d)** "When estimating the value of a leased fee estate or a leasehold estate, consider and analyze the effect on value, if any, of the terms and conditions of the lease(s):"

☐ **Standard Rule 1-4 (e)** "consider and analyze the effect on value, if any, of the assemblage of the various estates or component parts of a property and refrain from estimating the value of the whole solely by adding together the individual values of the various estates or component parts:"

☐ **Standard Rule 1-4 (f)** "consider and analyze the effect on value, if any, of anticipated public or private improvements, located on or off the site, to the extent that market actions reflect such anticipated improvements as of the effective appraisal date:"

☐ **Standard Rule 1-4 (g)** "identify and consider the appropriate procedures and market information required to perform the appraisal, including all physical, functional, and external market factors as they may affect the appraisal:"

☐ **Standard Rule 1-4 (h)** "appraise proposed improvements only after examining and having available for future examination; (i) plans, specifications, or other documentation sufficient to identify the scope and character of the proposed improvements; (ii) evidence indicating the probable time of completion of the proposed improvements; and (iii) reasonable clear and appropriate evidence supporting development costs, anticipated earnings, occupancy projections, and the anticipated competition at the time of completion:"

☐ **Standard Rule 1-4 (I)** "all pertinent information in items (a) through (h) above shall be used in the development of an appraisal:"

**Departure Explanations:** SR 1-2(c) There were no apparent easements.

[illegible]

ADDENDUM

Borrower: TO ESTIMATE HYPOTHETICAL VALUE R4 ZONE		File No.: 20100914	
Property Address: 65 AND PID 45059805 FORT EDWARD STREET		Case No.:	
City: WINDSOR	Province: NS	Postal Code: B0N 2T0	
Lender: TOWN OF WINDSOR			

Condition of the Improvements

The Land Registry indicates the Town of Windsor owns two parcels of land located adjacent to one another, identified by the Land Registry as PID 45059797 and PID 45059805.

PID 45059797

The property, identified by the Land Registry as PID 45059797, Registry of Deeds, Hants County, NS contains 28,600 Sq.Ft.. The property is located with road frontage on the west side of FORT EDWARD STREET and the east side of COBBETT STREET. The land is level with the roadway at FORT EDWARD STREET, sloping downward to COBBETT STREET.

The was not a Legal Description available to the appraiser. Lot size dimensions have been estimated utilizing the Land Registry sketches. The approximate distance between COBBETT AND FORT EDWARD STREETS is 118 feet, suggesting that the property offers an approximate 227 feet of road frontage.

The site is presently developed with the former, now abandoned WINDSOR OUT DOOR POOL. There is an L shaped concrete pool and an adjacent concrete pool house. The more northerly portion of the property is developed with an abandoned tennis court.

PID 45059805

This property, identified by the Land Registry as PID 45059805, Registry of Deeds, Hants County, NS contains 16,800 Sq.Ft..

The property is located with road frontage on the west side of FORT EDWARD STREET and the east side of COBBETT STREET. The land is level with the roadway at FORT EDWARD STREET , sloping downward to COBBETT STREET.

There was not a Legal Description available to the appraiser. Lot size dimensions have been estimated utilizing the Land Registry sketches. The approximate distance between COBBETT AND FORT EDWARD STREETS is 130 feet, suggesting that the property offers an approximate 130 feet of road frontage.

The site is presently developed with a flat gravel parking lot.

Although presently, Windsor-West Hants Planning Department confirms other zoning designations, the appraiser was advised that the subject property is to be analyzed as if it had achieved an R4 Residential Four zoning designation.

Permitted uses are included with in the addendum of this report.

Comments on Sales Comparison

The appraiser has analyzed three comparable sales considered to be similar to the subject property.

Every effort has been made to secure comparable sales that have occurred with in the recent three months preceding the effective date of this appraisal. Use of sales which have occurred beyond the optimum period will indicate that more recent sales were unavailable. The lack of more current sales does not mean that adverse neighbourhood conditions exist. By the expansion of the time frame, sales with the most similar characteristics and best indicators of value can be utilized.

Despite the careful selection of data, the heterogeneous nature of the real estate market dictates that cumulative adjustments may exceed ideal gross adjustments, especially when there have been a relatively low volume of recent sales to select from with in the subject and similar neighbourhoods.

Sources of market evidence includes the local real estate boards including the Annapolis Valley Real Estate Board as well as access to five other Real Estate Boards through out the province, realtors, and sellers and buyers active in the market place.

Final Reconciliation

HYPOTHETICAL MARKET VALUES

In conclusion the final estimate of value is determined to be \$192,950.00 Residential 4 Lot 45,400 Sq.Ft..+/- , rounded to \$195,000.00.

The value established is a Hypothetical Value. For purposes of this appraisal report, the appraiser has analysed the value of the subject property as if the zoning at the subject property were Residential Four. A different value conclusion might result but for this hypothesis.

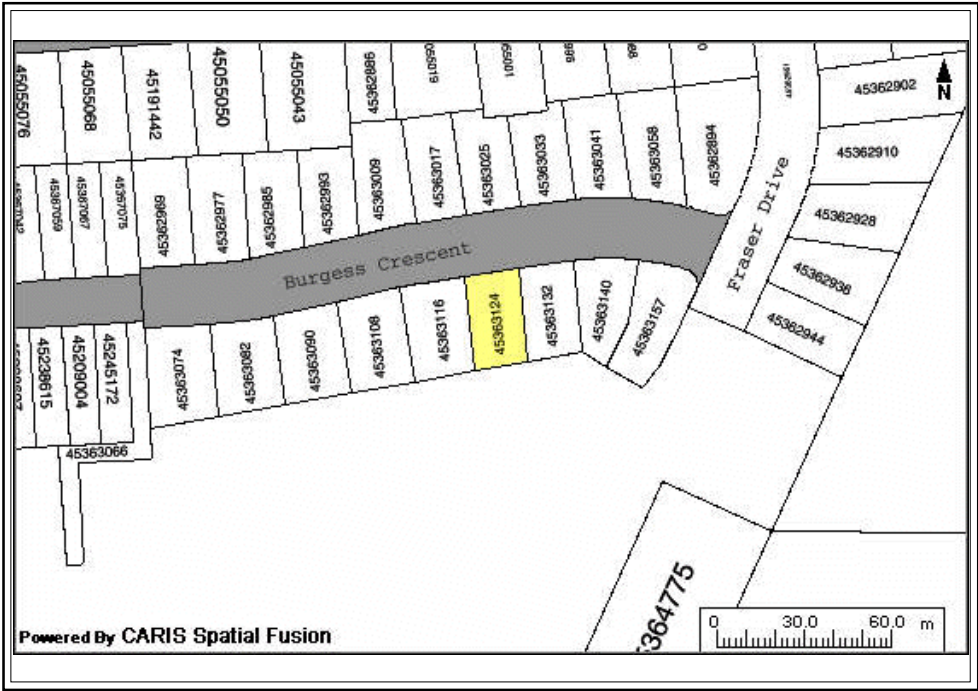
The appraiser assumes that there are no adverse environment concerns at the subject property. The value established presumes that the site has been remediated and that the land is ready for R4 development.

COMPARABLE PROPERTY PHOTO ADDENDUM			
Borrower: TO ESTIMATE HYPOTHETICAL VALUE R4 ZONE		File No.: 20100914	
Property Address: 65 AND PID 45059805 FORT EDWARD STREET		Case No.:	
City: WINDSOR		Prov.: NS	P.C.:B0N 2T0
Lender: TOWN OF WINDSOR			



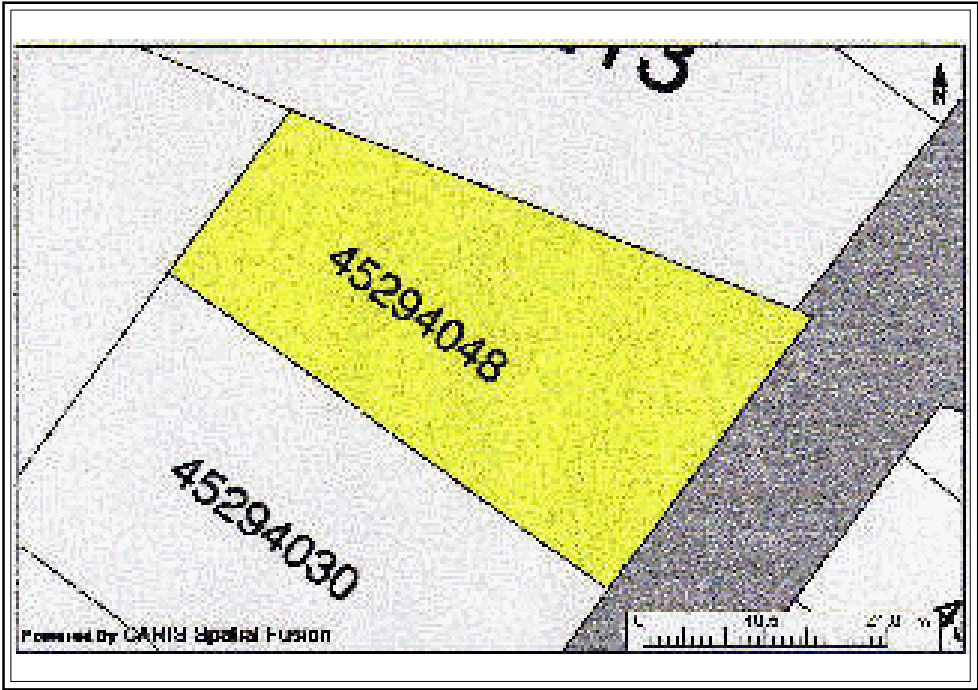
COMPARABLE SALE #1

Lot 211 FRASER DRIVE  
WINDSOR, NS  
Sale Date: 05/28/2009  
Sale Price: \$ 38,000



COMPARABLE SALE #2

LOT 207 BURGESS CRESCENT  
WINDSOR, NS  
Sale Date: 06/25/2010  
Sale Price: \$ 34,900



COMPARABLE SALE #3

1A GRAY STREET  
WINDSOR, NS  
Sale Date: 02/19/2008  
Sale Price: \$ 49,000



Borrower: TO ESTIMATE HYPOTHETICAL VALUE R4 ZONE		File No.: 20100914
Property Address: 65 AND PID 45059805 FORT EDWARD STREET		Case No.:
City: WINDSOR	Prov.: NS	P.C.:B0N 2T0
Lender: TOWN OF WINDSOR		



Tennis Court



pool

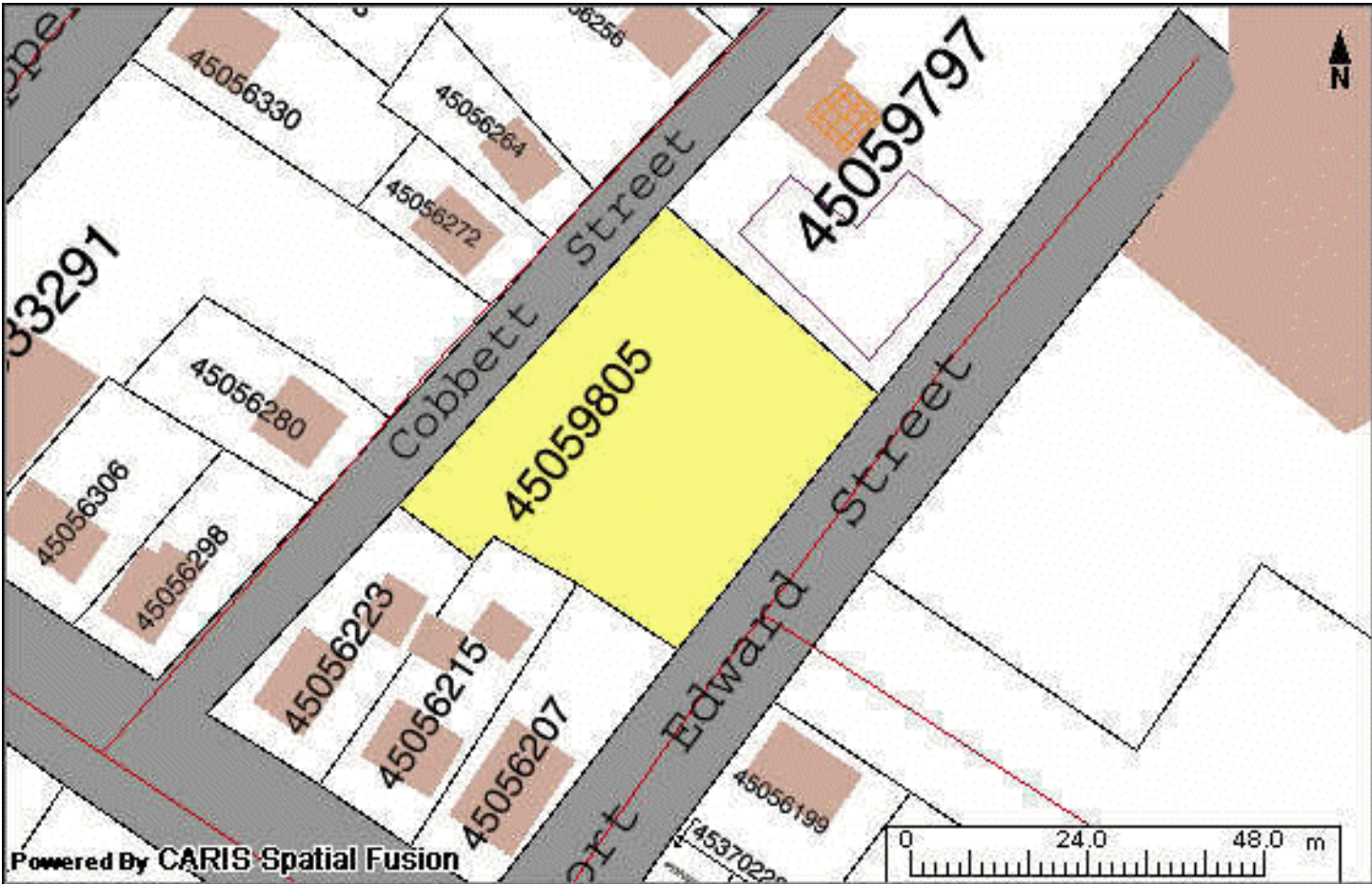


View From Cobbett Street



PLOT MAP

Borrower: TO ESTIMATE HYPOTHETICAL VALUE R4 ZONE		File No.: 20100914
Property Address: 65 AND PID 45059805 FORT EDWARD STREET		Case No.:
City: WINDSOR	Prov.: NS	P.C.: B0N 2T0
Lender: TOWN OF WINDSOR		

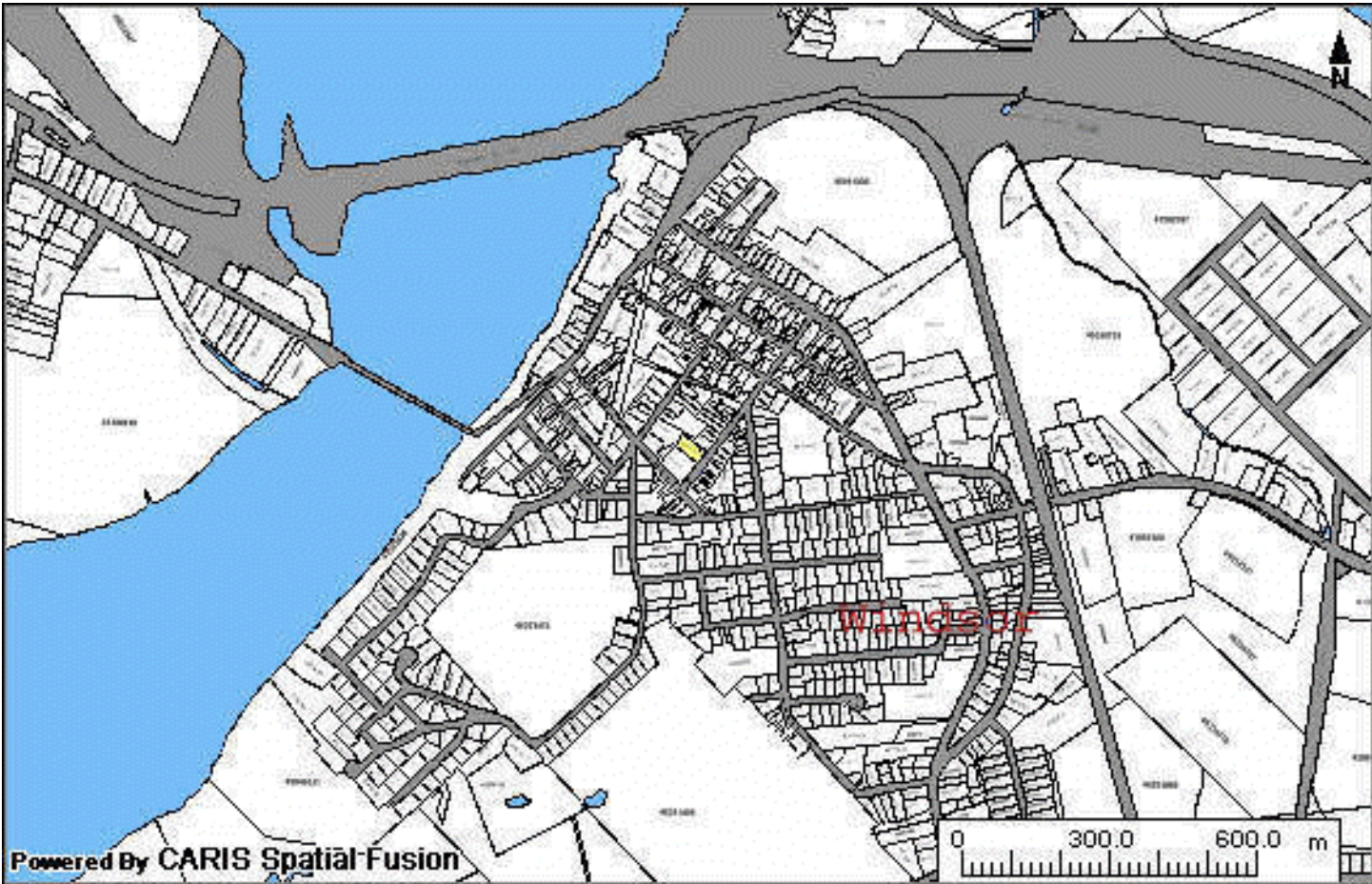


LOCATION MAP

Borrower: TO ESTIMATE HYPOTHETICAL VALUE R4 ZONE		File No.: 20100914	
Property Address: 65 AND PID 45059805 FORT EDWARD STREET		Case No.:	
City: WINDSOR		Prov.: NS	P.C.:B0N 2T0
Lender: TOWN OF WINDSOR			







11.0 HIGH DENSITY RESIDENTIAL (R-4)

Permitted Uses

11.1 The following uses shall be permitted in the High Density Residential (R-4) zone:

- Uses permitted in the R-1 zone subject to the R-1 zone requirements
- Uses permitted in the R-2 zone subject to the R-2 zone requirements
- Uses permitted in the R-3 zone subject to the R-3 zone requirements
- Boarding and rooming houses
- Dwellings with more than 6 units
- Grouped dwellings
- Residential care facilities providing care for 5 or fewer persons

R-4 Zone General Requirements

11.2 In the R-4 zone, no development permit shall be issued except in conformity with the following:

		Dwellings with more than 6 units, Boarding Houses, Residential Care Facilities	Grouped Dwellings
Minimum lot area		10,000 ft <sup>2</sup> (929.00 m <sup>2</sup> ) for the first 4 dwelling units <i>plus</i> 1,500 ft <sup>2</sup> (139.35 m <sup>2</sup> ) for each additional unit	3,000 ft <sup>2</sup> (278.70 m <sup>2</sup> ) for each dwelling unit
Minimum lot frontage		100 ft (30.48 m)	100 ft (30.48 m)
Minimum front yard		35 ft (10.67 m)	
Minimum rear yard		35 ft (10.67 m)	
Minimum side yard	one side	15 ft (4.57 m) or ½ the height of the main building, whichever is greater	
	other side	5 ft (1.52 m)	
Maximum height of main building		3 storeys	
Maximum height of accessory building		15 ft (4.57 m)	

Landscaping

11.3 In the case of grouped dwellings and buildings with three or more units, outdoor parking and service areas shall be screened from the street and adjacent residential properties through the use of landscaping or opaque fencing.



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**Grouped Dwellings**

- 11.4 In addition to the requirements of Section 11.2, the following special provisions shall apply to grouped dwellings:
- (a) the minimum distance between grouped dwellings shall be 20 ft (6.10 m) or ½ the height of the higher of any two adjacent buildings, whichever is greater; and
  - (b) the maximum number of units in an attached grouped dwelling shall be eight.

**Recreational Space**

- 11.5 Recreational space shall be provided as required in Section 10.5.

**Services Required**

- 11.6 A development permit shall not be issued for a new dwelling of two or more units in the R-4 zone where the proposed development is not serviced with Town water and sewer.

**Parking**

- 11.7 Required parking may be provided on a lot other than the lot on which the use is located by development agreement subject to Policy 4.11.3 of the Municipal Planning Strategy.